

Snyder  
Carmella Patrone

v.  
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**In the Matter Of:**

**Snyder  
v.  
CitiSteel, USA, Inc.**

**C.A. # 04-970-JJF**

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**Transcript of:**

**Edward Vouras**

**September 6, 2006**

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B- 0502

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TERRY L. SNYDER,	)	
	)	
Plaintiff,	)	
	)	Civil Action
v.	)	No. 04-970-JJF
	)	
CITISTEEL, USA INC.,	)	
	)	
Defendant.	)	

Deposition of EDWARD VOURAS, taken pursuant to notice at the law offices of Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 1000 West Street, 17th Floor, Wilmington, Delaware, beginning at 10:15 a.m., on Wednesday, September 6, 2006, before Terry Barbano Burke, RMR-CRR and Notary Public.

APPEARANCES:

LORI A. BREWINGTON, ESQUIRE  
MARGOLIS EDELSTEIN  
1509 Gilpin Avenue  
Wilmington, Delaware 19801  
For the Plaintiff

MARGARET M. DiBIANCA, ESQUIRE  
YOUNG CONAWAY STARGATT & TAYLOR LLP  
The Brandywine Building - 17th Floor  
Wilmington, Delaware 19801  
For the Defendant

ALSO PRESENT:

TERRY L. SNYDER

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1 EDWARD VOURAS,  
2 the deponent herein, having first been  
3 duly sworn on oath, was examined and  
4 testified as follows:  
5 BY MS. DiBIANCA:  
6 Q. If you want to go ahead and state your name  
7 for the record.  
8 **A. Edward Vouras.**  
9 Q. Just for the court reporter, if you want to  
10 spell your last name for me too.  
11 **A. V-O-U-R-A-S.**  
12 Q. What's your date of birth?  
13 **A. 11-7-42.**  
14 Q. And your current address?  
15 **A. Current address?**  
16 Q. Yes.  
17 **A. Rockford Tower, Seven Rockford Road, K-25,**  
18 **Wilmington, Delaware, 19806.**  
19 Q. Have you ever been deposed before?  
20 **A. Who?**  
21 Q. Have you ever had a deposition like this  
22 before?  
23 **A. No.**  
24 Q. So I'll just give you real quick, Lori's

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1 probably explained a little bit to you, just some sort  
2 of ground rules.  
3 You're going to speak and I'm going to  
4 speak, but we don't speak at the same time, that way  
5 the court reporter can take down all of our questions  
6 and answers. Probably as important to that is if you  
7 are going to answer yes, you want to answer yes instead  
8 of shaking your head, instead of uh-huh, because she  
9 can't get those down. Everything we say is going to be  
10 in words and we will let each other finish. If you  
11 don't understand a question that I ask, just ask me to  
12 clarify and I will.  
13 If you need a break at any time, we'll  
14 take one. If you're in the middle of answering a  
15 question, go ahead and answer it and then we will take  
16 a break. But other than that, it's pretty straight  
17 forward.  
18 How long have you been at Rockford  
19 Tower?  
20 **A. I'd say 15 years, 18 years.**  
21 **I need a break.**  
22 Q. Are you currently employed?  
23 **A. Self-employed.**  
24 Q. Doing what?

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1 **A. The restaurant Kozy Korner and I'm a gambler.**  
2 Q. Do you gamble in Atlantic City primarily?  
3 **A. Right.**  
4 Q. Do you have a residence in Atlantic City?  
5 **A. Yes.**  
6 Q. Where is that?  
7 **A. Ocean Club.**  
8 Q. How much time do you spend there?  
9 **A. Four, five, six days a week. Whenever.**  
10 Q. Did you finish?  
11 **A. Yes.**  
12 Q. Are you married?  
13 **A. No. Single.**  
14 Q. Have you ever been married?  
15 **A. Yes.**  
16 Q. And to whom?  
17 **A. Amber Reed Dunlap.**  
18 Q. And when was that?  
19 **A. When I was 22, 23.**  
20 Q. Do you have any children?  
21 **A. Yes.**  
22 Q. Who are your children?  
23 **A. Terry Snyder.**  
24 Q. Any other children?

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1 **A. No.**  
2 Q. Do you give Miss Snyder any kind of financial  
3 support?  
4 **A. When she needs it, yes, I do.**  
5 Q. When was the last time?  
6 **A. I think it was three days ago.**  
7 Q. The last time before that?  
8 **A. I'd say a month ago.**  
9 Q. How many times this year do you think?  
10 **A. Beg your pardon?**  
11 Q. How many times this year do you think, 2006?  
12 **A. I would say every other week.**  
13 Q. For a total of how much, can you estimate?  
14 **A. I don't keep track because that's my daughter.**  
15 Q. How much at a time do you give?  
16 **A. 200, 300, and two cartons of cigarettes.**  
17 Q. And that's about every two weeks?  
18 **A. Right.**  
19 Q. And that's been for how long?  
20 **A. For quite a while.**  
21 Q. Longer than 2006?  
22 **A. Longer than what?**  
23 Q. Longer than 2006?  
24 **A. Yes.**

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2 (Pages 2 to 5)

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1 Q. Do you think more than five years? That would  
2 be 2001.  
3 **A. Off and on, whenever. Whenever I go see her I**  
4 **always give her some. If she don't ask me, I give it**  
5 **to her anyway. I know she needs it.**  
6 Q. How often do you see your daughter?  
7 **A. Every couple of weeks, once a month. I talk**  
8 **to her, though, in between.**  
9 Q. Did you do anything to prepare for today's  
10 deposition?  
11 **A. Did I do anything to prepare for it?**  
12 Q. Yes.  
13 **A. No.**  
14 Q. Go over any documents or anything like that?  
15 **A. No. Don't have any documents.**  
16 Q. Have you discussed this lawsuit with your  
17 daughter?  
18 **A. What do you mean, discuss it? In what way?**  
19 Q. Well, do you know what this lawsuit is about?  
20 **A. She told me. That's it.**  
21 Q. What did she tell you?  
22 **A. She told me that some Randolph, whatever his**  
23 **name is, was bothering her. Now not recently, but I'm**  
24 **talking about in the past she told me. That's what**

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1 **you're talking about, right?**  
2 Q. Either --  
3 **A. You ain't talking about like today?**  
4 Q. Why don't we start with the past.  
5 **A. You are talking about the past?**  
6 Q. Yes.  
7 **A. That's how I know about it.**  
8 Q. Okay.  
9 **A. And she called me when she got the job the**  
10 **first week and she said this Randolph, you know, he's**  
11 **my supervisor, whatever, and right away he wanted to**  
12 **take her out to dinner on a Saturday for a drink or**  
13 **dinner or whatever, to discuss.**  
14 **I said, Terry, why would he want to take**  
15 **you out the first week or second week, whatever, to**  
16 **discuss what, the policies, what kind of bull shit?**  
17 **So anyway, that was that.**  
18 **But then later on, she called me and said**  
19 **that he was like bothering her, caressing her hair.**  
20 Q. Caressing her hair?  
21 **A. Caressing or like, you know, (indicating).**  
22 **And she was a little bit distressed, a little bit**  
23 **upset. And I said -- I mean she was in a state of**  
24 **where she just got this job, this and that, and she**

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1 **didn't know how to -- I says, Terry, I says, James's**  
2 **your boyfriend, that guy's married or has a fiance,**  
3 **whatever, he shouldn't be doing that.**  
4 **I asked her, you're not teasing, that**  
5 **and that? And she said, no, I don't do that shit, and**  
6 **I know she doesn't.**  
7 **Anyway, I said, if he keeps it up, I**  
8 **gave her the idea to go to Radio Shack and get a tape**  
9 **recorder. And I said, tape the guy, and if he keeps it**  
10 **up.**  
11 **So anyway, I don't know, a week, two**  
12 **weeks, three weeks later, she went ahead and did that.**  
13 **She went and got a tape. And then she told me that she**  
14 **said something -- I think she said -- I'm not**  
15 **positive -- she said something to the supervisor, his**  
16 **supervisor. I don't know who the guy is, Harris, I**  
17 **think the guy's name is Harris. You know, must have**  
18 **said something to Mr. Harris, she must have said**  
19 **something, because she told me that the next time that**  
20 **Randolph seen her in the office he says, made a comment**  
21 **where, you didn't have to say that or something. And**  
22 **then he made a comment to her, I remember, he said, I**  
23 **guess you're taping me too, he mentioned that. I'm**  
24 **going by what she said to me now, Terry. Those are the**

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1 **things that I recall. And I'm going back when it**  
2 **started and everything.**  
3 Q. So she told you right away as soon as  
4 Miss Snyder started working at CitiSteel, she told you  
5 right away that Mr. Harris, her supervisor, was asking  
6 her out?  
7 **A. Not Harris. Randolph.**  
8 Q. Randolph Harris is her supervisor.  
9 **A. Oh, that's his last name?**  
10 Q. Yes.  
11 **A. Who's the supervisor? Ain't Harris the**  
12 **supervisor?**  
13 MS. SNYDER: There's another one that he  
14 is referring to.  
15 THE WITNESS: I'm referring to Randolph's  
16 supervisor.  
17 MS. BREWINGTON: You guys can't talk.  
18 Sorry, Molly.  
19 THE WITNESS: It's whoever Randolph's  
20 supervisor was, and I'm thinking it was Harris. That  
21 is Randolph?  
22 BY MS. DIBIANCA:  
23 Q. Yes.  
24 **A. That goes to show you, I don't even, whatever.**

3 (Pages 6 to 9)



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1 I'm going by what she's telling me when she called me,  
2 when she was distraught and like she was practically  
3 crying on the phone.

4 Q. And that was when she first started?

5 A. Yeah, way back, whatever, yeah, the original.

6 When I heard her voice cracking and this  
7 and that, I said, honey, if he just keeps it up just go  
8 get a tape.

9 Q. So you told her that right away?

10 A. Yeah. When she called the second time and  
11 told me. If I remember it was the second time because  
12 the first time I remember he asked her out right away  
13 when she started working, and then a month went by --  
14 see, I don't recall the time, you know. I'm just  
15 generalizing. I don't know if I'm correct or what. I  
16 don't write something down or nothing because I don't  
17 think anything like that was going to come up to this.  
18 I didn't dream something like this.

19 So when she called again and her voice  
20 and this and that practically, you know, crying,  
21 because she gets emotional, she's sensitive, I said,  
22 honey, I says, just go get a tape on this guy. I said,  
23 what's he doing? Is he married? I don't know if he  
24 had a fiance, because she told me I think he was

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1 getting married or had a fiance. What's he hitting on  
2 her for, or it seems like he was, you know.

3 Q. So the second phone call, it could have been  
4 more than the second phone call, but we'll say we think  
5 it was the second time she told you about it?

6 A. Second or third time.

7 MS. BREWINGTON: I'm going to object.  
8 You can answer.

9 MS. DiBIANCA: Object?

10 MS. BREWINGTON: I'm going to object.

11 MS. DiBIANCA: On what?

12 MS. BREWINGTON: On form. We'll say the  
13 second time. That mischaracterizing.

14 BY MS. DiBIANCA:

15 Q. Let me ask you, was it the second time that  
16 she called you that she talked about Mr. Harris with  
17 you that you recommended the tape?

18 A. I wouldn't say the second. It would be the  
19 third because I was getting disgusted, I was getting --  
20 I was getting emotional because she was getting  
21 emotional, and the way she sounded on the phone she was  
22 getting upset. And that's my daughter and so I don't  
23 think it was the second time.

24 I'm easy going, I bend, and this and that

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1 and I wouldn't say go get this and that. It had to be  
2 like the third time, maybe fourth time. I don't recall  
3 because it was way back. It isn't like I jumped, said  
4 that. I probably didn't even think of her right away.

5 But for me to say that, go get a tape, it  
6 had to be an accumulation of a couple of phone calls or  
7 three phone calls.

8 MS. DiBIANCA: For a minute, on the  
9 record, I need to ask Miss Snyder to stop indicating,  
10 shaking her head and whatnot. It is just a little bit  
11 distracting to me.

12 MS. SNYDER: Okay.

13 MS. DiBIANCA: I know it is hard not to  
14 do.

15 THE WITNESS: I'm not looking at her.

16 MS. DiBIANCA: For me it is hard.

17 MS. SNYDER: I do that all the time. I'm  
18 sorry.

19 THE WITNESS: Like I said, it wasn't,  
20 like I said, the second call, it had to be the third,  
21 fourth call because she's calling me and telling me.  
22 She's getting emotional and then I said, honey, just go  
23 get a tape.

24 BY MS. DiBIANCA:

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1 Q. How about instead of trying to guess at the  
2 number of times that you talked to her, how about a  
3 time period, from the first time that she called you  
4 and talked to you about Mr. Harris until the time that  
5 you spoke to her and recommended she get the tape?

6 A. I'd say --

7 MS. BREWINGTON: I'm going to object as  
8 asked and answered. He said he didn't remember.

9 MS. DiBIANCA: I didn't ask.

10 MS. BREWINGTON: He did state that he  
11 didn't recall.

12 MS. DiBIANCA: Recall the number of times  
13 on the phone.

14 MS. BREWINGTON: Or the date.

15 THE WITNESS: I don't know any time thing  
16 because whenever she started working back then, you  
17 know. So you have your records whenever she started  
18 working, but like I said, if I knew it was going to  
19 come to this, I would keep, I would get a pencil and  
20 paper and keep a diary of that stuff.

21 BY MS. DiBIANCA:

22 Q. Let's say do we think it was less than six  
23 months?

24 A. I would say it was, I would say yes.

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1 (Phone interruption.)  
2 **BY MS. DiBIANCA:**  
3 Q. So he said he thought it was less than six  
4 months?  
5 **A. Actually I would say less than six months**  
6 **because she called me more than, like I said, it wasn't**  
7 **the second time she called me and told me, third or**  
8 **fourth. It had to be several times, three, four, five**  
9 **times maybe. And then when she was calling me, I'm**  
10 **getting upset myself that she's upset, that that guy is**  
11 **making her upset. So I recommended that.**  
12 Q. You think maybe less than two months is a  
13 better estimate?  
14 **A. No, I wouldn't say that. I'd say it is more**  
15 **than that. It was more than that because -- it had to**  
16 **be more than that.**  
17 Q. Should we say four to six?  
18 MS. BREWINGTON: I'm going to object.  
19 MS. DiBIANCA: There's no grounds to  
20 object.  
21 MS. BREWINGTON: Because you're trying to  
22 pigeonhole him in.  
23 MS. DiBIANCA: I am not.  
24 THE WITNESS: You did say up to six

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1 months?  
2 **BY MS. DiBIANCA:**  
3 Q. Yes.  
4 **A. We will leave it at that. Because now you**  
5 **start going two months, two to four and this and that.**  
6 **It is one question pertaining to that time period and I**  
7 **will give it to you like that, you know. I'll try to**  
8 **be broad with you and say six months because I don't**  
9 **recall. I can't pinpoint it for you.**  
10 Q. Why don't we jump ahead to, it would have been  
11 April of 2003, that's when Terry's employment with  
12 CitiSteel ended.  
13 Can you tell me about that time period?  
14 MS. BREWINGTON: Objection to form.  
15 MS. DiBIANCA: Objection to form as to  
16 what exactly?  
17 MS. BREWINGTON: Exactly do you want to  
18 know from him? That's very vague. Can you tell me  
19 about that time period, what do you want to know about  
20 that time period?  
21 MS. DiBIANCA: Are we being contentious?  
22 MS. BREWINGTON: Not contentious, but can  
23 you help him out? Does he know what that means?  
24 MS. DiBIANCA: We are talking about a

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1 very narrow subject here.  
2 MS. BREWINGTON: Can you be more  
3 specific?  
4 **BY MS. DiBIANCA:**  
5 Q. For the record, going forward, everything I'm  
6 discussing with you today is about one limited topic.  
7 The limited topic is going to be Terry Snyder's  
8 employment at CitiSteel and the events surrounding her  
9 employment at CitiSteel. If I ask you a question and  
10 you're not sure what it is relating to, we can assume  
11 going forward that it's relating only to that limited  
12 topic.  
13 So in the month of April 2003, can you  
14 tell me about any of the events relating to Terry  
15 Snyder's employment at CitiSteel?  
16 **A. Terry Snyder's what?**  
17 Q. Her employment at CitiSteel?  
18 **A. I can't recall. I don't recall any time**  
19 **because I'm 63 years old and my memory is -- what do**  
20 **you call it? -- I got my mind on business and this and**  
21 **that. I also have my mind on my daughter. But when**  
22 **she's calling me and telling me this, this, that, I**  
23 **don't have no clue what time, what month, what year.**  
24 Q. So did she continue to call you after she

Page 17

1 started her employment, did she continue to call you  
2 after the time that you recommended her going to Radio  
3 Shack and getting a tape recorder? Did she call you  
4 after that about her employment?  
5 **A. What do you mean by her employment?**  
6 Q. About Mr. Harris.  
7 **A. Yeah, about the situation we're talking about,**  
8 **yeah. That's it.**  
9 Q. Did she continue to call you? For how long?  
10 **A. Just when she needed to.**  
11 Q. Which was how often?  
12 **A. What do you mean how often?**  
13 Q. Every day?  
14 **A. Of course not every day. I wouldn't even**  
15 **answer the phone if she called me, I wouldn't answer**  
16 **the phone if she called me every day.**  
17 Q. Was it every week?  
18 **A. I have no idea.**  
19 Q. Is there any reason that you're not able to  
20 recall?  
21 **A. Because I don't know how many times she**  
22 **called.**  
23 Q. Would you say it was more often than every  
24 other month?

5 (Pages 14 to 17)



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1 **A. She called whenever she called. I answered**  
2 **whenever the phone rang. I don't keep no time track.**  
3 **Like I said to you, if I knew it was**  
4 **going to come down to this, I would have got this pen**  
5 **right here and I would have kept a diary, phone**  
6 **records, everything. I'm 63 years old.**  
7 **Q. What did she say?**  
8 **A. And I'm not doing it on purpose. Okay? I'm**  
9 **63. I'm being honest with you. And I do forget a lot**  
10 **of things now. Before I didn't.**  
11 **I know you're younger than I am. You**  
12 **can remember a lot of things. Our brain is okay. As**  
13 **we get older we're going to start forgetting and I'm**  
14 **not saying that I got Alzheimers, but I do forget.**  
15 **Q. Okay.**  
16 **A. Do you understand? Because I play cards. I**  
17 **know how to play cards, but I come to be where I do**  
18 **forget a lot. Not playing cards, but a lot of stuff in**  
19 **the past.**  
20 **But this I do remember and I only**  
21 **remember so much. I only talked to her so long and I**  
22 **only hear what I want to hear from her where it**  
23 **pertains to her because I worry about her. I get**  
24 **emotional with her, she gets emotional. That's it.**

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1 **But I cannot go into what you're saying because it is**  
2 **all trivial to me. Because I got other things on my**  
3 **mind. I do have her on my mind and I do worry about**  
4 **her and I don't want nobody bothering her and I got**  
5 **emotional when she called me about this guy.**  
6 **And when she did it two, three, four,**  
7 **five times, it could be eight times, but I think it was**  
8 **four or five times, I said, Terry, because she started**  
9 **breaking up on the phone, which means she was crying,**  
10 **and she was getting like I am getting right now. So**  
11 **she was getting hyper.**  
12 **I says, Honey, go to Radio Shack, get a**  
13 **tape on this guy. It is not like I scammed anything or**  
14 **I told her to go do anything, look, we can make some**  
15 **money with this guy. Forget about all these ideas**  
16 **whatever you're pertaining to, whatever you're trying**  
17 **to drill out of anything, make anything. I'm going by**  
18 **what she did, what she told me and to the best of my**  
19 **knowledge.**  
20 **Like I said, I'm 63. So don't go into**  
21 **the detail April this, that, months, this and that. I**  
22 **generalize six months. Now you come down to two to**  
23 **four, this and that, trying to pinpoint me. Pinpoint**  
24 **me to what? I cannot because I'm 63.**

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1 MS. DiBIANCA: Lori, does your witness  
2 need to take a break maybe for a minute?  
3 THE WITNESS: No, I'm fine, honey. I'm  
4 fine. You can keep asking me questions. I don't need  
5 it, honey.  
6 Don't forget, you're younger than I,  
7 she's younger, she's younger (indicating). Our brain  
8 retains everything. As we get older we forget, and  
9 that's the way I'm getting. I'm forgetting and I'm not  
10 doing it on purpose on this session.  
11 MS. DiBIANCA: Let the record reflect  
12 that the witness is pointing and his voice is raised.  
13 BY MS. DiBIANCA:  
14 Q. Now, what I'd like to do is continue on.  
15 **A. Show the record that I'm pointing.**  
16 MS. BREWINGTON: He was pointing at the  
17 table. He wasn't pointing at you.  
18 THE WITNESS: I'm not pointing. I'm  
19 pointing to everybody because you're all younger than I  
20 am and their brain waves retain things. Mine is  
21 getting a little bit fuzzy, okay? I'm not saying I got  
22 Alzheimer's, but I feel that I'm not retaining like I  
23 used to retain, and I'm not talking about this  
24 individual situation here. I'm talking about other

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1 things.  
2 MS. BREWINGTON: I want her to ask these  
3 questions so this can move as smoothly as possible.  
4 THE WITNESS: I'm trying to explain to  
5 her and I don't want her to keep drilling me because I  
6 don't recall.  
7 MS. BREWINGTON: If you don't recall, she  
8 wants you to say I don't recall.  
9 THE WITNESS: It is not that I'm  
10 irritated because she keeps going over and over the  
11 same things, and to me it's just repetition and it's  
12 like I'm supposed to give her an exact date how many  
13 times, how many times did I see my daughter, how many  
14 times did I give her money, this and that. Listen, you  
15 know, I'm trying to do the best here and I don't want  
16 to keep being repetitious because I don't know.  
17 MS. BREWINGTON: Yes.  
18 THE WITNESS: That's it. But I'm fine.  
19 I don't need no break. I'm in control.  
20 Next question. B- 0508  
21 BY MS. DiBIANCA:  
22 Q. Did Terry Snyder call you relating to the end  
23 of her employment at CitiSteel?  
24 **A. When she was done, I think she did, yeah. I**

6 (Pages 18 to 21)

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1 **guess she had to, yeah.**  
2 Q. Do you recall anything about that  
3 conversation?  
4 **A. No.**  
5 Q. Did she call you in the days or the week  
6 leading up to her termination?  
7 **A. No, I can't. She might have, but I can't**  
8 **recall.**  
9 Q. And then after she left CitiSteel, do you  
10 recall what her mental state was at that point as far  
11 as her emotions went?  
12 **A. She wasn't happy.**  
13 Q. Can you give me any details, examples?  
14 **A. No, no, because like I said, I don't see her.**  
15 **I just talk to her on the phone and then I can tell by**  
16 **her voice, whatever. I go by that, do you know what I**  
17 **mean?**  
18 Q. And did she express to you that she was -- I  
19 don't want to mischaracterize -- maybe not doing well,  
20 that's what you said?  
21 **A. She was down. She was down.**  
22 Q. And did you give her any advice?  
23 **A. Yeah. I said you got to just stick in there.**  
24 **I mean that's the way it is out there. I said you got**

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1 **A. No.**  
2 Q. Do you communicate with her or not often?  
3 **A. Who, the mother?**  
4 Q. Yes.  
5 **A. Hello, good-bye.**  
6 Q. Then when did she tell you or how did you come  
7 to find out about her filing a lawsuit?  
8 **A. That I can't recall. I can't recall.**  
9 Q. Did she tell you that she had filed it, gone  
10 to the EEOC, the Equal Employment Opportunity  
11 Commission?  
12 **A. Yes, some initials. I don't even know what**  
13 **they are. She gave me those initials. I said, What's**  
14 **that? She had to explain to me because I don't know**  
15 **about that.**  
16 Q. When did she tell you about that, do you know?  
17 **A. I don't know. I have no idea.**  
18 Q. Do you recall if she had told you that she had  
19 already gone to the EEOC or that she was going to go to  
20 the EEOC?  
21 **A. I think she was going and I asked her what's**  
22 **that mean? What's that place? She told me.**  
23 Q. What did she tell you that it was?  
24 **A. I don't even know. I mean she told me, but I**

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1 **to do the best, you got to take care of yourself. I**  
2 **think I might have said take care of yourself and FU**  
3 **everybody else. I said you got to take care of**  
4 **yourself. Take care of yourself, get up, get your**  
5 **esteem up. She had low esteem, I remember that.**  
6 **Because I was talking to her trying to get her up a**  
7 **little bit, kidding around with her, trying to kid**  
8 **around with her.**  
9 Q. Did she take your advice?  
10 **A. Well, she tries to do the best. She lost a**  
11 **little weight. I told her, go out there, do something,**  
12 **what do you call it, get your mind whatever, and get**  
13 **your esteem up. Because she always downs herself.**  
14 Q. And then did you ever discuss that with her  
15 boyfriend, Mr. Tobin?  
16 **A. Who's that, James?**  
17 Q. Yes.  
18 **A. I don't know his last name. Did I discuss it?**  
19 Q. Yes.  
20 **A. I don't think so. I don't talk to him much.**  
21 **He is a good boy, but I mean I just don't, he's**  
22 **working, whatever.**  
23 Q. What about Terry's mom, did you talk to her  
24 about it at all?

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1 **still don't know. I don't want to know.**  
2 **She did say they take care of something,**  
3 **employment.**  
4 Q. Equal?  
5 **A. Yes, equal employment, something like that.**  
6 **That's it.**  
7 MS. DIBIANCA: Do you have questions,  
8 Lori?  
9 MS. BREWINGTON: No.  
10 BY MS. DIBIANCA:  
11 Q. Let's talk about when she told you over the  
12 course of time, not one specific discussion, but over  
13 the course of time when she talked to you about  
14 Mr. Harris, what did she say Mr. Harris was doing?  
15 **A. What I said to you at the beginning.**  
16 Q. I will just make sure I got you right, which  
17 was asking her out to dinner or drinks?  
18 **A. Yeah. This is the first week.**  
19 Q. Okay.  
20 **A. I remember that. When she went into the**  
21 **place. Then he wanted to take her out Saturday,**  
22 **whatever, and like so he can explain policy, I guess?**  
23 **What the hell he wants to do, explain policy? And she**  
24 **said no.**

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7 (Pages 22 to 25)

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1 Q. And also --  
2 A. Then I --  
3 Q. Sorry. Go ahead.  
4 A. I think he might have, I think she said -- I'm  
5 not positive. But I think he tried taking her out a  
6 couple of times. That I'm pretty sure about that. I'm  
7 not juicing it up, but I'm retaining it because it's  
8 been so long. I didn't know it was going to come down  
9 to all this stuff.  
10 Q. And then I think you said earlier about him  
11 touching her hair?  
12 A. Yeah, he came over -- he leans over when she's  
13 working and he's leaning over. Because I said, well,  
14 what do you mean touching your hair? He was like  
15 caressing it, you know (indicating). I said, is he  
16 touching you any other place, or something like that,  
17 or whatever? I don't recall what she said. I would  
18 think not, you know. Just her hair. But he would lean  
19 over her. She's at the desk, she's like trapped. I  
20 guess she wants to say more to him but that's her boss.  
21 She was a little -- not scared. She's got a job, she's  
22 happy she's got a job. She don't want to say nothing  
23 to whatever, I guess.  
24 Q. Him touching her hair, did that continue on or

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1 and him are good friend. That's why he don't take any  
2 action. Like if he's been there five, seven years,  
3 whatever. I don't know how long he's been there, if  
4 he's there that long, and evidently he might have tried  
5 to put a hit -- not say hit. With other temp girls  
6 that have come in there, evidently that's his style,  
7 whatever he's doing, then I guess if he's been in that  
8 position five, seven years, him and his boss are tight  
9 and his boss don't give a shit, you know. That I do  
10 remember, you know. That's what it seemed like.  
11 Because no action was taken on it.  
12 Or even in the past or something maybe  
13 transferring him over to another spot or something.  
14 That's when I remembered they wanted, later on, later  
15 on after all this stuff, they wanted to transfer Terry,  
16 but then she wouldn't take a transfer.  
17 But I remember she said I would take a  
18 transfer if they wrote their names or something, or if  
19 they signed some papers and they wouldn't do it or  
20 something like that, to that effect.  
21 Q. Terry told you this?  
22 A. Yes, something to that effect.  
23 Q. Did you recommend that she take any other  
24 action?

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1 was that for a limited --  
2 A. I don't know about that because I remember  
3 that one time she told me. It could have, but I don't  
4 recall her saying it to me.  
5 Q. Were there other things that you remember her  
6 saying?  
7 A. The first time when he was doing that, when he  
8 started, I said, Is this guy married? Does he have a  
9 wife? I don't know whether she said a fiance, they  
10 bought a new house or are buying a new house. I do  
11 remember something like that. And I said, why is he  
12 whatever?  
13 And then -- but then I do recall later  
14 on when I'm going to hit on a thing now, when Terry did  
15 or reported it to his supervisor, then nothing like  
16 happened. Well, like I said to you before, I'm  
17 repeating it again, he came into her office and says,  
18 Terry, you didn't have to do that. I do remember those  
19 statements that she made to me that he said. He said  
20 you don't have to do all this. I guess you're taping  
21 me too. And she did have the tape with her, you know.  
22 It's a coincidence that he said that. And evidently he  
23 kept it up, you know, whatever. And then I think I  
24 made a comment where I think his boss, his supervisor

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1 A. No. See, because when she called me about  
2 these situations, I would be like two minutes, three  
3 minutes, because I'd be at the poker table and I'd be  
4 talking to her. So there was no long conversations.  
5 Now, when I'd come home, I would talk to  
6 her like five, ten minutes, and that's it. But most of  
7 the time when she called me I'm going, uh-huh, uh-huh,  
8 it was like a fast thing. So these were things that  
9 stand out in my mind.  
10 Other than that, there was no other  
11 important thing that I could remember pertaining to  
12 this fellow and to her, the relationship with her. It  
13 is just what I'm telling you is what I remember, her  
14 telling me about this guy.  
15 I don't think I said anything. I go  
16 over there to talk to him to come see him, this and  
17 that, but I said what good is that going to do. Like  
18 leave my daughter alone and is she going to blow the  
19 job.  
20 Q. Do you always play on the same days?  
21 A. Play where?  
22 Q. I'm sorry, poker, do you always play on the  
23 same days of the week, like Monday, Wednesday,  
24 Tuesdays?

8 (Pages 26 to 29)

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1 **A. I play any time I want.**  
2 Q. Not a regular? Like my grandfather goes on  
3 Tuesday.  
4 **A. No routine. Any time I want.**  
5 Q. Are you taking any kind of medicine or  
6 anything that would have prevented you from not  
7 testifying honestly? I didn't ask you that in the  
8 beginning.  
9 **A. Say it again.**  
10 Q. Are you taking or have you taken any kind of  
11 medicine or any other --  
12 **A. Medicine?**  
13 Q. -- that would prevent you from testifying  
14 honestly today?  
15 **A. Testifying?**  
16 Q. Today here.  
17 **A. Oh, no. I don't take no Xanax. The only**  
18 **thing I take is Lipitor, Zocor for cholesterol is the**  
19 **only medicine and 20 vitamins a day I take.**  
20 MS. DiBIANCA: That's all I have.  
21 COURT REPORTER: Reading and signing?  
22 MS. BREWINGTON: Yes.  
23 (Witness excused.)  
24 (The deposition concluded at 10:55 a.m.)

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REPLACE THIS PAGE  
WITH THE ERRATA SHEET  
AFTER IT HAS BEEN  
COMPLETED AND SIGNED  
BY THE DEPONENT

Page 31

1  
2 I N D E X  
3 DEPONENT: Edward Vouras PAGE  
4 Examination by Ms. Brewington 2  
5 E X H I B I T S  
6 (There were no exhibits marked for identification.)  
7  
8 ERRATA SHEET/DEPONENT'S SIGNATURE PAGE 32  
9  
10 CERTIFICATE OF REPORTER PAGE 33  
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1 State of Delaware )  
2 )  
3 New Castle County )  
4  
5 CERTIFICATE OF REPORTER  
6 I, Terry B. Burke, RMR-CRR and Notary Public,  
7 do hereby certify that there came before me on  
8 Wednesday, September 6, 2006, the deponent herein,  
9 EDWARD VOURAS, who was duly sworn by me and thereafter  
10 examined by counsel for the respective parties;  
11 that the questions asked of said deponent and the  
12 answers given were taken down by me in Stenotype notes  
13 and thereafter transcribed by use of computer-aided  
14 transcription and computer printer under my direction.  
15  
16 I further certify that the foregoing is a true  
17 and correct transcript of the testimony given at said  
18 examination of said witness.  
19  
20 I further certify that I am not counsel,  
21 attorney, or relative of either party, or otherwise  
22 interested in the event of this suit.  
23  
24  
25 Terry Barbano Burke, RMR-CRR  
26 Certification No. 233-RPR  
27 (Expires January 31, 2008)  
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**Transcript of:**

**Cynthia L. Wright, LPCMH**

**September 6, 2006**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TERRY L. SNYDER,	)	
	)	
Plaintiff,	)	
	)	Civil Action
v.	)	No. 04-970-JJF
	)	
CITISTEEL, USA INC.,	)	
	)	
Defendant.	)	

Deposition of CYNTHIA L. WRIGHT, LPCMH,  
taken pursuant to notice at the law offices of Young  
Conaway Stargatt & Taylor, LLP, The Brandywine  
Building, 1000 West Street, 17th Floor, Wilmington,  
Delaware, beginning at 10:55 a.m., on Wednesday,  
September 6, 2006, before Terry Barbano Burke, RMR-CRR  
and Notary Public.

APPEARANCES:

LORI A. BREWINGTON, ESQUIRE  
MARGOLIS EDELSTEIN  
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For the Plaintiff

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B-0518

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1 CYNTHIA L. WRIGHT, LPCMH,  
2 the deponent herein, having first been  
3 duly sworn on oath, was examined and  
4 testified as follows:  
5 BY MS. DiBIANCA:  
6 Q. Good morning.  
7 A. Hello.  
8 Q. Would you like to go ahead and say and spell  
9 your name for the record for us.  
10 A. Cynthia, C-Y-N-T-H-I-A, L. Wright,  
11 W-R-I-G-H-T.  
12 Q. You are employed by?  
13 A. New Perspectives, Incorporated. It's a  
14 private practice.  
15 Q. What do you do?  
16 A. I'm a licensed professional counselor of  
17 mental health.  
18 Q. How long have you been doing that?  
19 A. At New Perspectives or total?  
20 Q. Just generally.  
21 A. 16 years.  
22 Q. Before New Perspectives, you worked?  
23 A. Concord Wellness Center. It was also a  
24 private practice. I was there for about two years and

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1 then prior to that, I was at a mental health agency in  
2 Carneys Point, New Jersey, for ten years, The  
3 Healthcare Commons.  
4 Q. At New Perspectives, can you just describe  
5 what you do?  
6 A. I'm sorry, a therapist. I see adult clients  
7 individually, and that's what I have been doing pretty  
8 much for 16 years. I do adults in individual therapy.  
9 Some group therapy, but not at New Perspectives.  
10 Concord Wellness Center was the same  
11 private practice, group practice. It disbanded.  
12 That's why I ended up at New Perspectives.  
13 Q. How did the patients get to you? Are they  
14 referred?  
15 A. Uh-huh.  
16 Q. Who are they referred by?  
17 A. Insurance companies or family physicians or  
18 word of mouth.  
19 Q. And do you know why we're here today?  
20 A. To talk about Terry Snyder.  
21 Q. Yes. But only briefly because it's my  
22 birthday today.  
23 A. Good. Happy birthday.  
24 MS. DiBIANCA: I am going to go ahead and

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1 move this in as Wright 1.  
2 (Wright-1 was marked for identification.)  
3 BY MS. DiBIANCA:  
4 Q. What I have handed you are the documents that  
5 Terry Snyder produced during discovery.  
6 A. Uh-huh.  
7 Q. So she had apparently kept some of her  
8 records, and can you tell me --  
9 A. Actually, this was sent to another lawyer. I  
10 never sent Terry. Clients don't get their records. So  
11 it was sent obviously to another attorney.  
12 Q. Mr. Neuberger?  
13 A. Yes, it was a long time ago. I don't remember  
14 who it was sent to, but I don't think I gave it to  
15 Terry. Yes, these are mine.  
16 Q. Did you want to actually take a minute to look  
17 at them? I want you to have as much time as you need  
18 to look at them.  
19 A. (Pause.)  
20 Q. In part what I do want to do is actually just  
21 have you explain them to me.  
22 A. Explain what? I'm going to read them?  
23 Q. No. We don't want to be silly about it.  
24 Let me ask you this: Do you recall just

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1 from memory Terry?  
2 A. Uh-huh.  
3 Q. Tell me just from your memory what you recall.  
4 A. Well, I liked her. She was a very strong  
5 individual, appeared strong. She had a big presence  
6 about her, but definitely struggling with a lot of  
7 issues. Obviously that's why she came. I was just  
8 looking at -- I think I was wrong. I might have  
9 written that wrong, past one and a half years. Because  
10 I know when I first saw her, she just had left  
11 CitiSteel and she came to see me because of anxiety,  
12 depression, being out of work. She was really upset.  
13 And then I think that was basically the  
14 focus of our treatment, trying to help her control the  
15 anxiety and panic.  
16 I remember her being pretty paranoid for  
17 the first couple of weeks, maybe even months, looking  
18 back at my notes, just worried about what was going to  
19 happen because she had quit the CitiSteel under  
20 circumstances where she was really worried, you know,  
21 that they might -- she was worried that somebody was  
22 going to come after her or harm her in some way, just  
23 kind of overwhelmed with, you know, a big company and  
24 her feeling that she was harassed and them not

2 (Pages 2 to 5)



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1 believing her.  
2 I think at the time her boyfriend was  
3 also an employee there in a different area, but was  
4 worried for him as well, like that it was going to  
5 reflect badly on him if he were involved some way. I  
6 know that was a big conflict with the two of them, just  
7 what was going on with Terry.  
8 Just feeling worried like not knowing  
9 what was going to happen with the outcome, I think it  
10 was the unemployment, that was what brought her. She  
11 had an unemployment hearing.  
12 She was real worried about seeing her  
13 employer, her former employer, being really scared  
14 about him just in general, just scared about that.  
15 She felt it was, she was wrongly  
16 terminated. I guess that was part of the unemployment  
17 hearings because she -- they stated she quit, but she  
18 felt she was forced to leave because she was being  
19 transferred or being put in a place where she didn't  
20 want to be, so that's why she left.  
21 So in her view it wasn't that she quit  
22 because she wanted to quit. She left because they were  
23 putting her in a place where she wasn't comfortable.  
24 And I think the issues with the sexual

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1 harassment allegation, that was not resolved.  
2 Q. When, you mean by the time --  
3 A. Well, when she was still there, she felt like  
4 they didn't believe her and nothing was changing and  
5 she was scared. And again, so that's pretty much why  
6 she sought treatment at the time that I saw her, which  
7 was April of '03.  
8 Q. April of '03?  
9 A. That's the first date I saw her, April 28th  
10 was our initial assessment.  
11 Do you want me to just keep talking?  
12 I'm not sure.  
13 Q. Let me see if I can back up and get a few  
14 specifics.  
15 A. Uh-huh.  
16 Q. So we have April 28 was her first day. Do we  
17 know how she came to find you or how she was referred  
18 to you?  
19 A. It looks like the referral form here -- she  
20 called in herself on the 22nd of April and she was  
21 referred by her primary care doctor, Dr. Goodman.  
22 And typically when a doctor says I think you should go  
23 to counseling, they say mostly it's like look in your  
24 provider list and see what provider's around. I'm not

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1 sure, it doesn't say specifically that he -- well,  
2 because she had Blue Cross and we're on the provider  
3 list for Blue Cross, so that's pretty much how that  
4 works. If your family doctor says you should look into  
5 counseling, they just look on their list of providers  
6 and make phone calls until somebody can schedule.  
7 And her reason when she called, the  
8 reason for the appointment was sexually harassed by  
9 supervisor, depressed, very down, life has stopped,  
10 can't resume normal activities.  
11 Q. And then we're just going to say for the  
12 record that that's --  
13 A. That's on the patient information form from  
14 Concord Wellness Center.  
15 Q. And that's marked as Plaintiffs 643 and  
16 Exhibit Page 12. Goodness knows I'll never remember  
17 that.  
18 We talked a bit about paranoia, anxiety.  
19 Was depression part of that as well?  
20 A. Definitely, yes. If I can read the little  
21 checklist. She reported depressed mood, irritability,  
22 sleep disturbance, difficulty concentrating.  
23 Q. What page are you on?  
24 A. I'm on my Page 3.

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1 Q. Okay, exhibit Page 3, great.  
2 A. Decrease in sex drive. Decrease in appetite.  
3 At the time she was on a diet, but she apparently had,  
4 her weight had fluctuated so that wasn't really --  
5 because of the current circumstances.  
6 And possibly she was a little manic when  
7 I saw her. Spending spree. Not sure if she was  
8 bipolar. I think it was more the circumstances. She  
9 reported anxiety, that definitely had increased  
10 recently because of the work stress. I did write down  
11 here that she seemed extremely more than just worried,  
12 but like bordering paranoia, about neighbors, scared to  
13 be alone. She was worried about the ex-employer  
14 retaliating. That's what I couldn't think of,  
15 retaliating.  
16 And as the weeks went on as we talked,  
17 you know, she was having some nightmares. And I did, I  
18 think on the diagnosis page, I ruled out PTSD. No, I  
19 didn't. That was something I think in my notes,  
20 posttraumatic stress disorder. She was exhibiting some  
21 symptoms of that afterwards, just avoiding situations,  
22 avoiding being out, not wanting to go a certain way  
23 because she didn't want to run into anybody by chance  
24 that she worked with. Again, she didn't want to be

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1 alone.  
2 Q. You did rule that out?  
3 A. Yeah. I think I ruled that out on my -- when  
4 I say rule out, I mean I don't have to like write that  
5 down after every note, but in my diagnosis later I  
6 think I was going to rule that out. I didn't write it  
7 in my first treatment request on the insurance form  
8 where I have to give a diagnosis.  
9 She was really suffering at that point.  
10 That's why I had recommended she get a medication  
11 evaluation.  
12 Q. Did she?  
13 A. Yes. And Dr. Goodman, her primary care  
14 doctor. She was more comfortable with him, so she  
15 didn't go to a psychiatrist, which, you know, that's a  
16 personal preference. I usually recommend a  
17 psychiatrist, but if the person's already really upset  
18 and it's going to be hard enough to get them in to see  
19 a doctor, if the family doctor's comfortable  
20 prescribing psychotropics then that's fine. So it  
21 looks like she did, probably maybe after the third  
22 session. I'm just looking on my treatment form. But  
23 by the sixth -- eighth session, I have to do another  
24 treatment plan review, and so it was written on there

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1 none of those seemed to have been a problem for her in  
2 the past that she could recall.  
3 But they definitely were affecting her  
4 level of functioning at the time I saw her. That's why  
5 I recommended she get an evaluation from a psychiatrist  
6 or a medical doctor for that medication.  
7 Q. You did explain already why it would be  
8 beneficial for someone to go to their family doctor,  
9 that's who they're comfortable with.  
10 A. She was already really anxious. It was hard  
11 for her to even come to see me, so she was comfortable  
12 with her family doctor and he was obviously comfortable  
13 with prescribing those medications. Some doctors will  
14 say, you know, I'd prefer that you see a psychiatrist  
15 and that's just I think a personal preference for the  
16 family physician.  
17 Q. So did she indicate that she didn't want to  
18 see a psychiatrist or that she --  
19 A. I don't recall. I think I gave her the  
20 option. I said typically people, you know, you can see  
21 a psychiatrist or you can see your family doctor. It  
22 just was a preference.  
23 I don't recall if I pushed the  
24 psychiatrist because we did, we did have a psychiatrist

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1 that she was already on Lexapro, Remeron and Xanax from  
2 Dr. Goodman.  
3 Q. So that would have been 6-10-03?  
4 A. Yes, uh-huh.  
5 Q. And that's Page 13 of the exhibit.  
6 So Dr. Goodman at that point was  
7 prescribing?  
8 A. Yes, the psychotropics.  
9 Q. And just really quickly for the record,  
10 Lexapro, Xanax, they do what?  
11 A. Lexapro's an antidepressant. Remeron is an  
12 antidepressant, also a sleep aid, and a Xanax is an  
13 anxiolytic, antianxiety medication.  
14 Q. So you had recommended to her that she should  
15 get a medication evaluation?  
16 A. Yes. Because of the symptoms. And these were  
17 new. She hadn't reported any problems in the past with  
18 all the symptoms I just checked off. I mean on the  
19 checklist it has absent, present and past.  
20 Q. Right.  
21 A. There are like a couple in the past that she  
22 had been depressed a little bit in the past, but like  
23 really none of these, the anxiety wasn't an issue, all  
24 the other difficulty, concentrating, sleep disturbance,

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1 at our office. She might have stated that she'd rather  
2 go to Dr. Goodman, but I don't remember writing that  
3 down anywhere.  
4 Q. That's fine.  
5 And then where we see 6-10-03, and at  
6 that point she is on some medication.  
7 A. Uh-huh.  
8 Q. Do you recall if she was, if the medication  
9 was helping her?  
10 A. It was, but there was an issue with, she  
11 wasn't always compliant. Again, just her reservations  
12 about taking medication and a lot of people have that.  
13 They don't want to have to take them forever and,  
14 again, just sometimes her concern and her paranoia  
15 about the whole situation. I think that just kind of  
16 impacted her decision making, like, oh, I don't want to  
17 be on these meds forever, I don't want to be relying on  
18 them, but I did recommend that she be compliant. If  
19 she was going to take the medication, she needed to  
20 take the meds prescribed, not like every now and then.  
21 And so we did, because I looked back on  
22 some of this, and I do remember us talking about that.  
23 She would, she understood that, and  
24 stuck with the medication. But there have been times

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1 where she wasn't sure. Yes, like on the notes I'm  
2 looking at, June 3rd of '03. My notes here from the  
3 session. We were talking about pros and cons of  
4 medication. Her ambivalence about taking it. She  
5 wanted to feel in control without relying on the meds.  
6 And at that time she hadn't been compliant with taking  
7 it every day. She was just like trying it out. A lot  
8 of people do that too.

9 But then she realized with the anxiety  
10 and just her moods going up and down that the  
11 medication would definitely be beneficial.

12 It seemed like in June there was a  
13 couple of triggers to her anxiety. I'm looking that  
14 she saw a co-worker and then she saw someone who she  
15 thought was her co-worker, a former co-worker driving  
16 behind her and that freaked her out. You know, she got  
17 really anxious, she'd be crying. Okay, if you're  
18 looking at my Page 19, my notes. June 30th. We talked  
19 about sticking to the medications, because it  
20 definitely would help. She had agreed to continue  
21 taking her medication as prescribed after she had seen  
22 this person who she felt was a co-worker. She would  
23 just get really paranoid thinking that people were  
24 following her, and that's not uncommon for people who

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1 are really anxious, that kind of fine line between  
2 worry and fear and paranoia. It all kind of blurs  
3 together.

4 Q. Then did you see a change, a real significant  
5 change in her at any point? I guess I should not say  
6 change as much as I should say improvement?

7 A. I wouldn't say like significant. I'm thinking  
8 huge. I mean there was -- the paranoia and the anxiety  
9 definitely decreased by the end of the summer. I'm  
10 looking here, my Page 20, she was hoping to find  
11 another job because at that point I mean she had been  
12 out of work for a couple of months and I believe she  
13 was not getting unemployment. And she really wanted to  
14 get back to work. She wanted to start something new  
15 and so her functioning was improving that she wasn't as  
16 anxious, she wasn't as tearful. She was functioning a  
17 little bit better at home.

18 I think there is this one part where  
19 she -- in July 28th in '03 when she was -- we were  
20 focusing on interviews and job search skills and she  
21 was pursuing a computer course, that she was hoping to  
22 learn some new skills or improve her skills so she  
23 could get a job. And that actually I don't think, she  
24 didn't get the scholarship because financially she was

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1 having, you know, obviously she wasn't making any  
2 money, so finances were an issue. I don't think she  
3 was able to complete the course because she didn't have  
4 the money to do that, and that really upset her too.

5 But she was taking her medication at that  
6 point still. I was keeping track of that. So that was  
7 July 28th. She was continuing to take her meds as  
8 prescribed. Still anxious and tense. She had had  
9 periods of times where, you know, her mood was more  
10 stable. I'd say that whole summer she was pretty up  
11 and down. But as far as improvement, definitely there  
12 was some improvement with the medication, just coming  
13 and talking about, you know, how to cope better, you  
14 know, talking with her mom, talking with her boyfriend.  
15 She was resuming her exercising on a regular basis.  
16 Still was having an issue being alone at night. Didn't  
17 like that.

18 9-11-03, my notes say that she had been  
19 extremely anxious and paranoid and depressed. By the  
20 past two weeks after she had had contact with her  
21 lawyer regarding an arbitration meeting with her  
22 ex-employer -- I mean she didn't even meet with the  
23 ex-employer, just having that meeting with the lawyer,  
24 again, set her off. Got really anxious again.

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1 And we talked about how to calm herself  
2 down and get ahold of her thoughts, you know, the  
3 irrational thoughts that she would have about the  
4 retaliation and fear of her former employer.

5 Talk about increasing social supports.  
6 She had a friend who would kind of get her out of the  
7 house.

8 It looks like we talked again about her  
9 family doctor knowing what was going on and that she  
10 was having regular contact with him because he was  
11 prescribing the meds.

12 Because at that point her symptoms or the  
13 depression and anxiety were definitely increasing.

14 Q. They were increasing in September?

15 A. Yes, after the incident with her lawyer.

16 Q. How long do you think it increased before it  
17 went back to where it was like in July?

18 A. Well, it looks like -- if I saw her the 11th  
19 of September, she said it had been going on for two  
20 weeks prior. So I'd say like the end of August. It  
21 looks like my notes are saying that she still was  
22 pretty depressed and anxious.

23 She was avoiding things. That was the  
24 end of September. It looks like it took about a month.

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1 It looks like October 7th, focus on managing stress and  
2 feeling relief that there will be no court date or  
3 meeting for at least the next six months. So that kind  
4 of calmed her down for a while.  
5 Q. Little did she know, the wheels of justice.  
6 A. And then there are some issues going on with  
7 her boyfriend. They were kind of on again/off again.  
8 That was causing some stress too.  
9 Q. Did they live together at that time?  
10 A. No. They never lived together that I was  
11 aware of. She always lived with her mother. She would  
12 stay with him but she lived with her mom. I think she  
13 had always lived with her mom.  
14 It looks like mid-October she was  
15 feeling a little bit better, getting more support from  
16 her boyfriend, feeling like she was better able to  
17 focus. She had some job interviews. She was going to  
18 the gym, trying to be more productive.  
19 And then at that time -- see, I'm  
20 telling you, every time she was getting a grip,  
21 something else would happen. Then her cousin attempted  
22 suicide and the next two months they weren't sure if he  
23 was the one person that jumped off the bridge. I mean  
24 they weren't -- they never found the body.

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1 So that happened October through  
2 November, and then I stopped seeing her October because  
3 of insurance and financial limitations. I mean she was  
4 feeling better, you know, with like the job issue.  
5 Obviously there were stresses going on with family, but  
6 I mean she was feeling -- it says on the 16th of  
7 October, feel able to cope, you know, with what was  
8 going on with her cousin, the family issues, because  
9 her boyfriend was supportive, her mother, and she had a  
10 pretty strong support system with her extended family.  
11 Q. So October/November was the period where there  
12 was obviously the stress of the cousin?  
13 A. Uh-huh.  
14 And then the end of October we talked  
15 about Blue Cross and Blue Shield was going to be  
16 discontinuing their benefits. I think she wasn't  
17 eligible for them any more and she was going to call me  
18 to reschedule something once she was able to -- her dad  
19 helped her out I think with paying the fee. And  
20 unfortunately part of being in a private practice, we  
21 didn't have sliding scale fees, couldn't afford to do  
22 that.  
23 But I talked with her on the phone, but  
24 it looks like our last session where I saw her was the

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1 28th of October.  
2 And then in July -- I'm sorry, in  
3 January of '04, we had scheduled an appointment and she  
4 canceled it. And it looks like February 12th and  
5 February 19th of '04 we met and I do not have those  
6 notes. I don't know where those notes ended up.  
7 You know what? Wait a minute. I am  
8 sorry, you're typing everything I'm saying out loud. I  
9 was at Concord Wellness Center until May. So she saw  
10 me two more times. I don't know what happened to those  
11 notes.  
12 Q. After the new year started in '04?  
13 A. Yeah. Unless I gave a copy of these to her  
14 lawyer before that. And then we didn't meet in  
15 November, January -- I mean November and December we  
16 didn't meet. So it might have been that that's when  
17 the lawyer, the attorney got these records.  
18 And then I think I told you when I left  
19 Concord Wellness Center we, all the therapists there  
20 took their charts with them because the practice was  
21 like done. Like we all went our own ways and I had all  
22 my clients charts at my house because there was no  
23 other place to store them and they got damaged in the  
24 flood. All of them are gone.

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1 So fortunately I had this much. Well, I  
2 did have, my schedule books were in a different  
3 location, so that's how I got all my dates, because I  
4 keep my schedule book, schedule books for years and  
5 years.  
6 So apparently that's why I don't have the  
7 notes reflected, I don't have these progress notes for  
8 February because it was -- that was after the lawyer  
9 had already gotten this, and then I didn't see her any  
10 more.  
11 Q. Just so I make sure, we have starting in April  
12 steady through the summer, October, nothing in November  
13 and December.  
14 A. Yeah. She canceled an appointment in January,  
15 so I didn't see her even though we had one scheduled.  
16 So, yeah, November, December, January did not see her.  
17 February I did. I saw her two times. And then March,  
18 the end of March she scheduled. And she was improving.  
19 I remember thinking she was a little bit more  
20 confident. I know she was babysitting. I don't know  
21 if she had a job. I know she was at a placement agency  
22 or temp agency and trying to get work, but I don't  
23 recall in February if she was working at that time.  
24 But the anxiety obviously was less because I hadn't

6 (Pages 18 to 21)

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1 been seeing her.  
2 Q. Would she still be on the medicine? That was  
3 prescribed by Dr. Goodman so she could have been. Do  
4 you recall if she was?  
5 A. The last time -- and I do remember seeing that  
6 on my notes -- the last time that you saw her, which  
7 was October 28th, she needed to refill her medication  
8 because she hadn't had any the past five days. And  
9 that could have had something to do with, again, why  
10 she was really tense and tired and not able to focus.  
11 I'm reading that from my notes. And I did, I wrote on  
12 here that she needs to, that Terry would call and get  
13 her medication refilled.  
14 Q. So at that point she's still --  
15 A. She was still being prescribed.  
16 Q. And then do you remember anything about the  
17 two February visits?  
18 A. Like I said, I remember her, you know, seeming  
19 not quite as anxious. Pretty much the paranoia, the  
20 real worry about what's going to happen, that had  
21 stopped at the end of the fall. I know she was looking  
22 for a job. She was still living at home, still with  
23 the boyfriend kind of on and off again. I mean it  
24 didn't seem like anything had changed a whole lot. But

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1 I don't recall if she had gotten a job. I don't think  
2 she did. I think she was going to be receiving  
3 Medicaid and that's when she was going to, you know,  
4 start up treatment, counseling again. But just didn't  
5 and then just kind of dropped out. As is with a lot of  
6 clients in private practice, I don't call people. Like  
7 at an agency you have to call. You really don't have  
8 to, and if the client isn't interested -- I mean she  
9 wasn't being mandated to come so I don't keep checking  
10 up on people. After she didn't show, I probably made  
11 one phone call, sent her a little form letter saying we  
12 didn't hear from you, so I didn't hear from her. And  
13 we didn't meet any more.  
14 But then when I left Concord Wellness  
15 Center, which was in May -- well, May I began, in May I  
16 began at New Perspective. So I ended April of 2004 at  
17 Concord Wellness Center and then picked up with the  
18 clients that followed me to New Perspectives. And  
19 those who didn't, I sent letters saying this is where I  
20 am, here's my phone number and address.  
21 And so she did call me, it says here, my  
22 last contact I had with Terry -- I'm reading my little  
23 letter that I gave to you, that the last phone call I  
24 had -- and I keep track of phone calls just on a piece

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1 of paper that I have in my desk that I returned her  
2 message on October 15th of '04 at New Perspectives.  
3 And she said, you know, does your office take Medicaid,  
4 and I said yes. And she was going to call me when her  
5 Medicaid kicked in and she could arrange to get to her  
6 office, and then she never did.  
7 So I pretty much didn't see her that  
8 whole, except for two times in February.  
9 But she did know where I was at New  
10 Perspectives and I had planned on seeing her, but it  
11 just never worked out.  
12 Q. Do you remember, did she discuss with you the  
13 condition, what was making her upset, her feelings  
14 about -- obviously she discussed her feelings.  
15 A. Uh-huh.  
16 Q. But did she discuss the factual part of her  
17 employment at CitiSteel?  
18 A. About the sexual harassment?  
19 Q. Right.  
20 A. I remember talking, because we did talk a lot  
21 about that in the beginning. I remember she said one  
22 incident was -- I don't know who -- I forget who "he"  
23 was.  
24 Q. His name is Randolph?

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1 A. Yes, Randolph. Now it's coming back,  
2 Randolph.  
3 That he, I don't want to say pinched her  
4 ass, but he touched her butt. I'm sorry, I said a bad  
5 word. And she said something to him and he just kind  
6 of laughed it off.  
7 And there was another time where he kind  
8 of propositioned her. He basically asked her out, go  
9 out for a drink or something, and she thought that was  
10 really inappropriate.  
11 She was really intimidated by him. I  
12 just remember that feeling, that she was really -- it  
13 really scared her and upset her. And she's not a small  
14 person. So I don't know if she kind of portrays  
15 herself as anybody can kind of take a joke or you can  
16 say whatever you want, I don't know, she can hold her  
17 own. But I know she was really scared, she was really  
18 upset that she had reported that to I guess a boss,  
19 that he had touched her inappropriately when she walked  
20 by, and another time when he kind of asked her out for  
21 a drink or something to that effect.  
22 And it was just kind of brushed off,  
23 don't worry about it. I think she had told her  
24 boyfriend and he was really upset about it.

7 (Pages 22 to 25)



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1 And then I don't recall like how, like  
2 the chain of events that led to her --  
3 Q. Leaving there?  
4 A. Yeah. There was some movement. I don't know,  
5 they were putting her somewhere else in a different  
6 office. She might have, she might have -- that might  
7 have been when they moved her, I think when she  
8 complained about what Randolph had done and didn't feel  
9 comfortable there and wanted something like done about  
10 it. And they weren't -- I don't know if they weren't  
11 going to do something about it or they were going to  
12 put her like in a completely different office where she  
13 wasn't comfortable, she just didn't -- that wasn't the  
14 job that she wanted.  
15 I know that sounds all kind of  
16 wishy-washy, but I know it seemed kind of abrupt that  
17 all of a sudden she was no longer at the desk that she  
18 was used to sitting at, and that's why she felt like  
19 I'm just going to have to leave because she kind of  
20 felt like they were pretty much pushing her out, making  
21 her life miserable by being in this other position.  
22 Like I said, I don't recall -- I don't know if it was  
23 in the factory part, like where the big heavy steel  
24 area is, the hard hat area.

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1 I know there is a big reason why -- she  
2 didn't want to be in this other place. She was  
3 comfortable. She just wanted something done about what  
4 Randolph had done and nothing was done. So that's kind  
5 of what I remember.  
6 Q. Then would you say -- so she has anxiety, or  
7 I'll say anxiety, but meaning all the things you talked  
8 about, anxiety, depression, paranoia, all of them  
9 lumped together --  
10 A. Uh-huh.  
11 Q. -- she had anxiety about the issues that she  
12 had with Randolph, and then also I think you talked  
13 about sort of the company sort of would be out to get  
14 her?  
15 A. Well, because it was a big company and, you  
16 know, good old boys kind of atmosphere and a lot of  
17 men. She was like one of the only women that worked  
18 there. I mean it is a steel factory. You know, there  
19 weren't a whole lot of females around.  
20 It was kind of intimidating, even though  
21 her boyfriend worked there, she never saw him because  
22 he was in the plant. She was in the office area.  
23 She was worried that no one believed  
24 her. Obviously they didn't, in her opinion, because

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1 they didn't do any changing other than putting her  
2 somewhere else where she didn't really understand why  
3 they put her there. It made her miserable. She was  
4 just really depressed and upset, and then when she  
5 finally did quit -- and I don't know what -- I don't  
6 recall if she -- somebody said something to her that  
7 made her think that they were going to do something,  
8 but she felt that, that these big guys were going to,  
9 you know, retaliate or retaliate against her boyfriend  
10 who was still there. Because apparently she knew some  
11 stuff that had happened that wasn't real legitimate and  
12 felt worried about that.  
13 So, you know, obviously as her therapist  
14 I'm going to believe what she says. There's no reason  
15 for me not to believe what she says. She was pretty  
16 anxious. I mean she was not doing well for a long time  
17 when we first started meeting. She was really -- her  
18 level of functioning really was low, barely getting to  
19 appointments and --  
20 Q. Did she have a hard time getting to  
21 appointments?  
22 A. Yeah. I mean she would call. There was some.  
23 Even if you look, June she canceled, July she canceled.  
24 August she canceled twice. September she canceled.

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1 Well, she canceled once and didn't show once. So I  
2 mean her attendance was a little iffy and that  
3 sometimes had to do with just feeling really anxious  
4 and not wanting to leave her house.  
5 Like I said, told you about the two  
6 instances where actually she ran into a co-worker I  
7 think in the gym and then another time she thought she  
8 saw a co-worker, somebody who looked like a co-worker  
9 in the car behind her.  
10 And those two times -- I mean that just  
11 set her off. Then she got real paranoid and didn't  
12 want to be alone and that would definitely escalate her  
13 symptoms.  
14 Am I answering the question?  
15 Q. Absolutely, yes.  
16 A. Am I talking too much?  
17 Q. We're almost done, actually.  
18 A. I really did like Terry. She had a lot going  
19 on and I felt she was trying really hard to get back on  
20 track and she wanted to work. She wanted to be  
21 productive. Because she had always been productive,  
22 always been a good employee and worked all the time,  
23 you know, from her work history, being out of a job and  
24 feeling so incapacitated because of her fear. And

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8 (Pages 26 to 29)



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1 having I guess the arbitration or the unemployment  
2 hearing hanging over her head and knowing that she had  
3 this lawsuit, that really scared her too. I mean she  
4 was worried. She was trying to put that stuff kind of  
5 compartmentalize it, put it down so she could focus on  
6 getting another job.

7 Like I said, that really interfered with  
8 her ability to focus and get another job.

9 Q. Did she have other things that were stressors?  
10 I mean obviously we've got the work situation.

11 A. Uh-huh.

12 Q. The ex-employer. Were there other things that  
13 were causing her, I mean lots of things cause stress,  
14 but --

15 A. Her boyfriend, I wouldn't say it was major  
16 stress. It was like that was the history of their  
17 relationship. Like up and down and up and down. It  
18 wasn't like dramatic like she'd come in crying if they  
19 had a fight. The work was the number one issue, the  
20 stressors.

21 She lived at home with her mom, had a  
22 good relationship with her. And her dad, had a fairly  
23 good relationship with him. Had contact with him. It  
24 was basically the finances she was really upset that

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1 she couldn't get a job and she really wanted that. I  
2 remember when I looked at my notes, I remember that  
3 computer course that she was really psyched about  
4 taking, because it was going to help her, you know, get  
5 a job and then she couldn't -- she couldn't afford to  
6 take the class. They didn't give her the scholarship.  
7 That's when she started -- she was babysitting here and  
8 there for a girlfriend. And that was pretty much her  
9 only source of income.

10 I would say definitely the job was like  
11 the number one stressors.

12 Q. Trazodone, would that be something that --

13 A. That's an antidepressant. It's really not a  
14 good antidepressant. Mind you, I'm not a psychiatrist.  
15 I don't know how much weight you can put on, my  
16 opinion. But I know the psychiatrist that I have  
17 worked with say that they use it more as a sleep aid.  
18 It is an antidepressant but it doesn't do much for the  
19 mood. It does help with sleep. People are usually  
20 prescribed that because they can't sleep. It is not as  
21 bad as other sleeping meds.

22 Q. It doesn't have the side effects or the  
23 addiction or whatnot?

24 A. I am not sure it's quite as bad as Ambien.

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1 I'm not sure. People get hooked on that easy.

2 MS. DiBIANCA: Lori, do you have  
3 anything?

4 MS. BREWINGTON: I have a few, I think.

5 MS. DiBIANCA: I will go ahead and say  
6 I'm done holding onto any things that pop up during  
7 Lori's questions.

8 BY MS. BREWINGTON:

9 Q. Can I show you Page 25, on 10-24-03, and it  
10 says, A, and it's circled. Is that action, is that for  
11 action?

12 A. It's either about or at.

13 Q. Or assessment? It is at, okay.

14 A. N is narrative, A is affect, P is plan.

15 Q. Can you read that for me?

16 A. Her mood was elevated, talkative, silly,  
17 tangential, superficially cheerful and joking. Joking  
18 around to avoid feeling sad or angry.

19 Q. Is that what she told you or is that --

20 A. That's my impression of her affect. My  
21 assessment.

22 So, yeah, that's the A's in the little  
23 format of how I write my notes. The N is just kind of  
24 the narrative. And I write too much in my notes. This

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1 is the bad thing I guess. Or good depending on how you  
2 look at it. But the N is the narrative. What we  
3 talked about, what the issue was.

4 The A is the affect or assessment of her  
5 affect. Her mood, what was she presenting.

6 So a lot of times -- and like I said,  
7 she's very dramatic. I don't know if she still is.

8 But I remember her being very dramatic and animated and  
9 talkative and sometimes she would come in and she would  
10 be absolutely not that. So there was definite shifts  
11 in whether her mood was elevated where she was kind of  
12 up and sometimes she'd be really silly and she would  
13 just like kind of talk about everything and anything  
14 and nothing at all. It was hard to keep her on task.

15 Q. But was that because she was hiding like pain  
16 or was that just you think her personality?

17 A. That's what my opinion was I guess at that  
18 point that she was trying to avoid feeling sad because  
19 this was regarding her cousin. Her cousin's apparent  
20 suicide and that the body hadn't been located yet. So  
21 the fact that she was acting silly and joking, I  
22 thought that was just a front.

23 Q. You mentioned earlier that Terry Snyder, and I  
24 don't want to put words in your mouth, so correct me if

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1 I am wrong, that Terry Snyder seemed like a person to  
2 hold her own?  
3 **A. Uh-huh.**  
4 Q. Is that a fair assessment?  
5 **A. Uh-huh.**  
6 Q. Tell me why you feel that way.  
7 **A. She just has like a big personality. The**  
8 **first time I met her I was like wow. She's just a big**  
9 **person, beautiful big hair, and I just remember certain**  
10 **people you just remember the first time you met them.**  
11 **She had like a bright hot pink sweat, you know, those**  
12 **like Velcro --**  
13 MS. DIBIANCA: Jumpsuit.  
14 THE WITNESS: Yes, jumpsuit. Big hair.  
15 She was just like big and had -- I'm not going to say  
16 she was loud. She had a nice speaking voice,  
17 confident. But yet it is superficial.  
18 BY MS. BREWINGTON:  
19 Q. That's what I was going to ask you about.  
20 **A. It didn't seem real. It seemed too much.**  
21 Q. So my question is, then, did it surprise you  
22 that she was intimidated by Randolph Harris or that she  
23 was somehow paranoid or anxious about CitiSteel?  
24 **A. Did it surprise me? Well, I guess that's when**

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1 **I thought, wow, she really is not as strong as she**  
2 **projects herself. That she's really very fragile. And**  
3 **obviously that was my first impression when she's**  
4 **telling me all this stuff about this employer, and then**  
5 **the next couple of times I see her, I'm like wow, she's**  
6 **really very insecure and worried and not very**  
7 **confident.**  
8 **I mean she tries to be confident. I'm**  
9 **not saying she isn't, but it was just my impression**  
10 **that she just, you know, this really knocked her off**  
11 **her feet. Like wow, this has never happened. Where I**  
12 **guess, you know, she had always, you know, been pretty**  
13 **strong and independent and could take care of herself**  
14 **and this really knocked her for a loop. And that**  
15 **people would say that she's making this up and that**  
16 **really got her upset, and then I think that turned**  
17 **into, wow, like she was kind of doubting herself or**  
18 **second guessing, well, what should I do now? No one's**  
19 **believing me and she was really intimidated by them.**  
20 Q. As a therapist, are you trained to determine  
21 whether -- this might sound crazy because I'm not sure  
22 what I'm trying to get at -- whether what the person is  
23 telling you is consistent with a diagnosis of anxiety  
24 or depression? Or is it more of you take it for face

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1 value? Do you understand my question? I guess what  
2 I'm trying to ask is, were you able to assess whether  
3 there was any genuineness to Miss Snyder?  
4 **A. Oh, I thought she was genuine. Like I**  
5 **believed her. I didn't think this was just fabricated.**  
6 **I mean she -- whether that's just because I had a**  
7 **positive transference, you know, I liked her, she was a**  
8 **likeable person. She was very interesting. And she**  
9 **was really, you know, she showed her emotion and I saw**  
10 **the ups and the downs. So I believed her.**  
11 **So take that for what it's worth.**  
12 **That's part of just something you can't explain. It's**  
13 **like following your gut. I believed that, wow, she was**  
14 **really in a lot of pain. I don't feel like she was**  
15 **like this malingerer who was fabricating all this and**  
16 **making up how paranoid she was. Because she was**  
17 **really -- she appeared to me to be struggling**  
18 **emotionally with this, really just how she talked, how**  
19 **she presented herself, kind of her changes in mood when**  
20 **we were talking about certain things. Her confidence.**  
21 **So as far as your training, you just get to, you learn**  
22 **about it as you meet with more clients. I mean that's**  
23 **kind of how you get better at therapy, just seeing**  
24 **people and seeing what's consistent with anxiety and**

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1 **pain. Paranoia versus making it up. And I didn't feel**  
2 **like she was making it up. I think she was genuinely**  
3 **really freaked out about this. Why? I mean she just**  
4 **was. I didn't question why. Why did that man upset**  
5 **you so much? It just was very upsetting to her because**  
6 **she felt no one was believing her, no one was behind**  
7 **her with this and that it was all her, not -- she**  
8 **really felt ganged up on.**  
9 MS. BREWINGTON: I am finished.  
10 BY MS. DIBIANCA:  
11 Q. Just what I get out of that is you believed  
12 that she sincerely held her emotions, that her emotions  
13 were true to her?  
14 **A. Uh-huh.**  
15 Q. Were you looking at the truthfulness of the  
16 reasons behind those emotions or just the emotions?  
17 **A. Well, my focus was helping her to control the**  
18 **anxiety and the panic so she could get out of her**  
19 **house, she could get back to getting a job and being a**  
20 **productive person. Because at that point that I saw**  
21 **her she wasn't. She was a mess. Even though when she**  
22 **came in all big and wild, I mean that was just kind of**  
23 **bells and whistles to kind of get you to look over here**  
24 **to see -- not so you see I'm really scared, really**

10 (Pages 34 to 37)

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1 anxious.  
2       **The first impressions, that's why we**  
3 **have these rule outs of the diagnosis, it can change.**  
4 **When people get more comfortable with you and tell you**  
5 **what they're really thinking, it doesn't always happen.**  
6 **It rarely happens in the first session, that they can**  
7 **tell you. I don't expect people to just tell me**  
8 **everything even though I got all these questions that I**  
9 **ask. It is hard to talk about a lot of things,**  
10 **especially when you're feeling vulnerable and they**  
11 **don't know who I am.**  
12       **Am I going to judge them, am I going to**  
13 **treat them differently? Obviously it is my job. I'm**  
14 **not. But people still feel very vulnerable when they**  
15 **come in.**  
16 Q. And then did she talk to you at all about  
17 another lawsuit that she had been or was currently  
18 involved in, or was that the only legal issue?  
19 A. I don't remember. I don't remember.  
20 Q. And then do you remember if she discussed her  
21 mother, whether her mother had a history of depression  
22 issues?  
23 A. I know with the family history, I don't recall  
24 her mom having depression. I don't remember. I really

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1 don't remember. I know the family dynamics were stuff  
2 that her mom and dad never married, and it was kind of  
3 an interesting, you know, family dynamic. They  
4 remained close, but like never together.  
5       **I did see her mom once in the waiting**  
6 **room. Small little woman. Not what I pictured like**  
7 **Terry's mom to be. She seemed a little anxious. As we**  
8 **talked, her mom, you know, probably had some depression**  
9 **or anxiety in there, but nothing that I recall as**  
10 **talking a whole lot about.**  
11 MS. DiBIANCA: I think that's all I have.  
12 COURT REPORTER: Reading and signing?  
13 MS. DiBIANCA: You have the option of  
14 what's called reading and signing. It's generally a  
15 good idea, though most people don't take the offer.  
16 THE WITNESS: To read everything I just  
17 said?  
18 MS. DiBIANCA: You do. You have that  
19 option and they will send you a transcript and then if  
20 there's something that you think is, usually it's  
21 spelling errors mostly. But if you feel there's  
22 something in there that you in fact misstated somehow,  
23 you have the ability to correct it at that time.  
24 Or you can just do what's called waiving

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1 and you don't have to, they won't send you a transcript  
2 and you'll say she got most of it.  
3 THE WITNESS: Would the transcript be  
4 something I could keep for myself or no?  
5 MS. DiBIANCA: Yes.  
6 THE WITNESS: I would like that.  
7 MS. DiBIANCA: She will read, and then do  
8 you want it to go to you?  
9 MS. BREWINGTON: We will send it to you.  
10 MS. DiBIANCA: It will go to Lori's  
11 office and she will send it to you. By the time the  
12 slow lawyers get it and we forward it, you have about  
13 two weeks, so it won't be too painful to read. It  
14 should be pretty short.  
15 (Witness excused.)  
16 (The deposition concluded at 12:05 p.m.)  
17  
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REPLACE THIS PAGE  
WITH THE ERRATA SHEET  
AFTER IT HAS BEEN  
COMPLETED AND SIGNED  
BY THE DEPONENT

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1 State of Delaware )  
2 )  
3 New Castle County )  
4

CERTIFICATE OF REPORTER

5 I, Terry B. Burke, RMR-CRR and Notary Public,  
6 do hereby certify that there came before me on  
7 September 6, 2006, the deponent herein, CYNTHIA L.  
8 WRIGHT, LPCMH, who was duly sworn by me and thereafter  
9 examined by counsel for the respective parties;  
10 that the questions asked of said deponent and the  
11 answers given were taken down by me in Stenotype notes  
12 and thereafter transcribed by use of computer-aided  
13 transcription and computer printer under my direction.

14 I further certify that the foregoing is a true  
15 and correct transcript of the testimony given at said  
16 examination of said witness.

17 I further certify that I am not counsel,  
18 attorney, or relative of either party, or otherwise  
19 interested in the event of this suit.

20 Terry Barbano Burke, RMR-CRR  
21 Certification No. 233-RPR  
22 (Expires January 31, 2008)

23 DATED:  
24

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**In the Matter Of:**

**Snyder**

**V.**

**Citi Steel, USA, Inc.**

**C.A. # 04-970-JJF**

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**Transcript of:**

**James W. Ryan**

**June 15, 2006**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TERRY L. SNYDER,	)	
	)	
Plaintiff,	)	
	)	Civil Action
v.	)	No. 04-970-JJF
	)	
CITI STEEL USA, INC.,	)	
	)	
Defendant.	)	

Deposition of JAMES W. RYAN taken  
pursuant to notice at the law offices of Margolis  
Edelstein, 1509 Gilpin Avenue, Wilmington, Delaware,  
beginning at 11:10 a.m., on Thursday, June 15, 2006,  
before Kurt A. Fetzner, Registered Diplomate Reporter  
and Notary Public.

APPEARANCES:

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ALSO PRESENT:

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1 JAMES W. RYAN,  
2 the deponent herein, having first been  
3 duly sworn on oath, was examined and  
4 testified as follows:  
5 EXAMINATION  
6 BY MS. BREWINGTON:  
7 Q. Good morning, Jim.  
8 **A. Good morning.**  
9 Q. My name is Lori Brewington and I represent  
10 Terry Snyder in an action against CitiSteel.  
11 I'm going to ask you several questions,  
12 not that many hopefully. I will try to ask them one  
13 at a time and if you answer the question, we will just  
14 assume that you understood the question.  
15 If for any reason you need me to repeat it  
16 or explain it, just let me know.  
17 **A. I will.**  
18 Q. Have you ever testified in a deposition before?  
19 **A. Yes.**  
20 Q. And when was that?  
21 **A. Last year and the year before.**  
22 Q. Was it with respect to a CitiSteel matter?  
23 **A. Yes.**  
24 Q. And what matter was that?

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1 **A. Let's see. The matter of Fuhr, F-u-h-r, versus**  
2 **CitiSteel.**  
3 Q. F-u-h-r?  
4 **A. F-u-h-r.**  
5 Q. Is that a person?  
6 **A. It's a person.**  
7 Q. And the other matter that you referenced?  
8 **A. I can't remember.**  
9 Q. If at any time you need to take a break, just  
10 let me know and we will take a break.  
11 The court reporter is here and he will be  
12 taking down your answers to the questions. It's very  
13 important that you use yes and no as opposed to  
14 uh-huhs or uh-uhs because they don't show up too clear  
15 on the record.  
16 At times CitiSteel's attorney may object  
17 to some of the questions that I ask and that is  
18 entirely proper. All I ask is that you answer the  
19 question unless she specifically instructs you not to  
20 answer the question.  
21 Do you understand?  
22 **A. I understand.**  
23 Q. What did you do in preparation for your  
24 deposition testimony today?

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1 **A. I met with my attorney.**  
2 Q. Did you do anything else?  
3 **A. No.**  
4 Q. Did you review any documents?  
5 **A. No.**  
6 Q. And could you please state your name for the  
7 record?  
8 **A. James W. Ryan, R-y-a-n.**  
9 Q. And where do you currently work?  
10 **A. CitiSteel.**  
11 Q. And how long have you worked there?  
12 **A. Sixteen years.**  
13 Q. And what is your current job title?  
14 **A. Manager - human resources.**  
15 Q. What was your job title prior to being manager  
16 of human resources?  
17 **A. Manager - health and safety.**  
18 Q. And what years were you the manager of health  
19 and safety?  
20 **A. 1999 to 2004.**  
21 Q. Is it fair to say that you were the manager of  
22 health and safety while Terry Snyder was employed?  
23 **A. Yes, it is.**  
24 Q. And what were you prior to manager of health

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1 and safety?  
2 **A. Manager - employee relations.**  
3 Q. Were you anything prior to manager of employee  
4 relations?  
5 **A. Supervisor - employee relations and safety.**  
6 Q. Okay. I'll represent to you that Terry Snyder  
7 was employed with CitiSteel from August 2001 through  
8 April of 2003. And as you said before, it is fair to  
9 say that you were the manager of health and safety at  
10 that time?  
11 **A. Yes.**  
12 Q. All of my questions will be based from that  
13 time, unless I say otherwise. So just so that it's  
14 clear, I'm asking you questions with respect to when  
15 you served CitiSteel as manager of health and safety.  
16 Okay?  
17 **A. Right. Got it.**  
18 Q. Who is Jerry Downie?  
19 **A. He's the former director of human resources at**  
20 **CitiSteel.**  
21 Q. Who is the current director of human resources?  
22 **A. There is no one.**  
23 Q. Are you essentially doing his previous job?  
24 **A. I am, yes.**

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1 Q. What's the reason why there's no director?  
2 **A. It's felt there's no need for someone in that**  
3 **position.**  
4 Q. And when did Jerry Downie leave?  
5 **A. August 2004.**  
6 Q. And why did he leave?  
7 **A. He resigned. He retired.**  
8 Q. Did he give a reason as to why he was  
9 resigning?  
10 **A. None that he shared with me, no.**  
11 Q. Were you transferred into his position?  
12 **A. Yes.**  
13 Q. Did you have to apply for it or anything like  
14 that?  
15 **A. Yes. I interviewed with the president of the**  
16 **company for it.**  
17 Q. And who is the president of the company?  
18 **A. Mr. Shu.**  
19 Q. Is he currently the president?  
20 **A. No, he's not.**  
21 Q. Who is the current president?  
22 **A. Jeff Bradley.**  
23 Q. How many employees did CitiSteel have? I say  
24 did because we're talking about that time period when

Page 7

1 you served as the manager of safety.  
2 **A. About 350.**  
3 Q. And how many departments approximately?  
4 **A. Maybe fifteen.**  
5 Q. And how many locations does CitiSteel have?  
6 **A. Just one.**  
7 Q. Now, CitiSteel has about fifteen departments.  
8 Is one of the departments the melting shop?  
9 **A. Yes, it is.**  
10 Q. And another one would be the shipping  
11 department?  
12 **A. Yes.**  
13 Q. And another one would be the plate mill?  
14 **A. Yes.**  
15 Q. What are some of the other departments? And  
16 it's okay if you can't remember all fifteen.  
17 **A. Administration, facilities, maintenance are**  
18 **some examples.**  
19 Q. Okay. And where is the shipping department  
20 located in relationship to the melting shop?  
21 **A. The shipping department is located on the**  
22 **Delaware River side of Philadelphia Pike.**  
23 **The melt shop is on the opposite side of**  
24 **Philadelphia Pike from that.**

Page 8

1 Q. And how about the plate mill?  
2 **A. The plate mill is also on the Delaware River**  
3 **side of Philadelphia Pike, next to shipping.**  
4 Q. What is on the side, what else besides the  
5 melting shop is on that side?  
6 **A. A contractor called International Mill Service**  
7 **has its own building on that side.**  
8 Q. Anything else?  
9 **A. The scrap yard is on that side.**  
10 Q. Anything else?  
11 **A. That's about it.**  
12 Q. And what is the shipping department responsible  
13 for?  
14 **A. Shipping plates.**  
15 Q. Is that all they're responsible for?  
16 **A. Yes.**  
17 Q. And what are some of the titles of the  
18 positions in the shipping department?  
19 **A. Warehouse attendant.**  
20 Q. What does the warehouse attendant do?  
21 **A. Various activities in support of shipping**  
22 **plates, housekeeping, operating a forklift, general**  
23 **housekeeping.**  
24 Q. Is there anyone else in the shipping department

Page 9

1 besides the warehouse attendant?  
2 **A. A shipper-checker-loader.**  
3 Q. Are those three separate --  
4 **A. That's one position with three words.**  
5 Q. Thank you.  
6 And tell me what the shipper-checker-  
7 loader does.  
8 **A. Identifies piles of plates to be loaded onto**  
9 **trucks or railcars for shipment and assists crane**  
10 **operators in loading them.**  
11 Q. Is there anyone else besides the warehouse  
12 attendant and the shipper-checker-loader?  
13 **A. Allocator.**  
14 Q. What does the allocator do?  
15 **A. The allocator identifies piles of plate and the**  
16 **bills of lading that accompany them for the shipper-**  
17 **checker-loaders to put onto the trucks.**  
18 Q. Is there anyone else?  
19 **A. Expediter.**  
20 Q. Okay.  
21 **A. And that operates as a temporary supervisor,**  
22 **coordinates locomotive movements, truck movements with**  
23 **outgoing shipments.**  
24 Q. Anyone else?

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3 (Pages 6 to 9)

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1 **A. Supervisor.**  
2 Q. What does a supervisor do?  
3 **A. Much the same as the expeditor, except they**  
4 **have responsibility for timekeeping and discipline.**  
5 Q. Okay. Anyone else?  
6 **A. Clerk/typist.**  
7 Q. What do they do?  
8 **A. Clerical duties in support of shipping**  
9 **operations.**  
10 Q. What are some of the clerical duties?  
11 **A. Answering phones, filing, typing memos, faxing,**  
12 **communicating with employees and truckers**  
13 **occasionally.**  
14 Q. So far we have answering phones, filing, typing  
15 memos, faxing, communication with employees and  
16 trucks?  
17 **A. Truckers.**  
18 Q. Truckers?  
19 **A. Drivers.**  
20 Q. Drivers. Is there anything else that they do?  
21 **A. There might occasionally be other duties, but**  
22 **those are the bulk of them.**  
23 Q. When Terry Snyder was employed in August 2001  
24 through April of 2003, who served as the clerk/typist

Page 11

1 in the shipping department?  
2 **A. I can't remember.**  
3 Q. Was there someone that you just can't remember  
4 their name or you don't know whether there was anyone  
5 there?  
6 **A. I believe there was an incumbent if not at the**  
7 **time Terry was there then perhaps just before or just**  
8 **after, but I can't remember who it was.**  
9 Q. Are there reports that the clerk/typist would  
10 run in the shipping department?  
11 **A. I believe so, yes.**  
12 Q. What type of reports would they run?  
13 **A. They would probably do reports on shipping**  
14 **activity, tons shipped per shift per week.**  
15 Q. And could you tell me how they would run these  
16 reports?  
17 **A. Probably type them in Word or Excel and then**  
18 **print them out.**  
19 Q. And how would the clerk/typist get the info for  
20 the reports?  
21 **A. From the supervisor.**  
22 Q. Is it like a document that's given to the  
23 clerk/typist? Is it verbally, is the information  
24 verbally given?

Page 12

1 **A. It could be either verbally or written or a**  
2 **combination.**  
3 Q. How many employees are in the shipping  
4 department?  
5 **A. I think about 35.**  
6 Q. And how many employees are in the melting shop?  
7 **A. About a hundred.**  
8 Q. Does the melting shop clerk/typist position  
9 differ from the clerk/typist position in the shipping  
10 department?  
11 **A. No, it doesn't.**  
12 Q. Is it the exact same? B-0541  
13 **A. As far as the duties, yes.**  
14 Q. As far as something else is it different?  
15 **A. The nature of the information they're dealing**  
16 **with because it's a different process, yes.**  
17 Q. Tell me how it's a different process.  
18 **A. The melt shop produces slabs from scrap and**  
19 **other inputs.**  
20 **The shipping department takes finished**  
21 **plates and puts them together as loads and puts them**  
22 **on vehicles to be taken out of the plant.**  
23 Q. I'm trying to understand the nature of the  
24 different processes between the two departments.

Page 13

1 I guess I'm trying, I'm definitely trying  
2 to compare the two, the melting department or the melt  
3 shop and the shipping department. Now, does the  
4 clerk/typist position require any training?  
5 **A. On-the-job training, yes.**  
6 Q. So how long would the training be?  
7 **A. I would guess between one and three weeks.**  
8 Q. And would that be required of someone that  
9 worked in the melt shop and then went over to the  
10 shipping department, the same one-to-three-week  
11 training?  
12 **A. They probably would require less training**  
13 **because they already, if they're already in the**  
14 **company they know the procedures and policies.**  
15 Q. So less training but some training?  
16 **A. Yes.**  
17 MS. BREWINGTON: Can you mark that as Ryan  
18 1, please?  
19 (Ryan Deposition Exhibit No. 1 was marked  
20 for identification.)  
21 BY MS. BREWINGTON:  
22 Q. I have just placed in front of you Ryan 1. I  
23 want to give you a chance to review the document and  
24 then I want to ask you a question about it.

4 (Pages 10 to 13)



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1 **A. Go ahead.**  
2 Q. First tell me what that document is.  
3 **A. It's an e-mail sent by Terry Snyder to me.**  
4 Q. When was it sent?  
5 **A. January 7th, 2003.**  
6 Q. And what are the contents of this e-mail?  
7 **A. In this e-mail she communicated to me that she**  
8 **thought the floor needed repair and it was a safety**  
9 **hazard.**  
10 Q. Did the floor need repair?  
11 **A. I don't know if it did or not.**  
12 Q. Why don't you know? Because you don't  
13 remember?  
14 **A. Because I didn't visually inspect it.**  
15 Q. Do you know whether it was a safety hazard?  
16 **A. No, I don't.**  
17 Q. What was your response to this e-mail?  
18 **A. I communicated with Randolph Harris and Dennis**  
19 **Ford and told them they should look at it and if it**  
20 **needed repair, they should repair it.**  
21 Q. Would that be something that they would do  
22 themselves?  
23 **A. Yes, it would. Or they would direct someone to**  
24 **do it.**

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1 Q. Who would be the someone?  
2 **A. Either their employees or facilities'**  
3 **employees.**  
4 Q. Do you know whether it was ever repaired?  
5 **A. It was, but I couldn't tell you when.**  
6 Q. Do you know who repaired it?  
7 **A. No, I don't.**  
8 Q. Did you respond to Terry Snyder?  
9 **A. I think I did, but I can't recall affirmatively**  
10 **that I did get back to her.**  
11 Q. Were you concerned about the tile?  
12 **A. Yes, I was concerned.**  
13 Q. Did you follow up with Randolph Harris or  
14 Dennis Ford to make sure it was completed?  
15 **A. I don't recall having done so, no.**  
16 Q. You can put that to the side.  
17 Are employees' performances evaluated on a  
18 regular annual basis at CitiSteel?  
19 **A. Yes.**  
20 Q. Now, is that all employees?  
21 **A. It's salaried employees only.**  
22 Q. So is it fair to say that Randolph Harris is a  
23 salaried employee?  
24 **A. Yes.**

Page 16

1 Q. And he was given an annual performance  
2 evaluation?  
3 **A. I couldn't swear to that because I haven't**  
4 **seen, I haven't looked in his file to see if he**  
5 **received them every year.**  
6 Q. But that would be the policy?  
7 **A. But that would be the policy, yes.**  
8 Q. And Terry Snyder is not a salaried employee,  
9 correct?  
10 **A. Yes, she is.**  
11 Q. She is. Okay. And she would also have or  
12 should have also had performance evaluations completed  
13 on an annual basis?  
14 **A. Yes.**  
15 Q. And in terms of disciplinary actions, could you  
16 tell me what CitiSteel's policy is with respect to  
17 when corrective actions are given to employees?  
18 **A. Generally if there's a discipline problem they**  
19 **receive two verbal warnings and if the problem**  
20 **persists, then they receive a written warning.**  
21 Q. And when is the verbal warning given in  
22 relationship to, for lack of a better word, bad  
23 activity?  
24 **A. Soon after the bad activity takes place.**

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1 Q. And with respect to the verbal warnings, I  
2 understand that they're verbally given to the  
3 employees. Is that correct?  
4 **A. Yes.**  
5 Q. Is there any documentation of the verbal  
6 warning placed in the file or documented by the  
7 supervisor?  
8 **A. Normally the supervisor documents the verbal**  
9 **warning in the file they keep in the department.**  
10 Q. Is it their own personal file on the employee?  
11 **A. Either their own personal file or there's a**  
12 **central file they share on employees.**  
13 Q. And then is there another file in human  
14 resources?  
15 **A. Yes.**  
16 Q. And when an individual is terminated, do the  
17 files somehow come together or no?  
18 **A. Not always, no.**  
19 Q. What happens to that one file that's near the  
20 supervisor?  
21 **A. They either keep them or they discard it.**  
22 Q. So they throw that away?  
23 **A. Sometimes.**  
24 Q. Is there a policy on that?

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5 (Pages 14 to 17)

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1 **A. No.**  
2 Q. And they're allowed to just throw files away?  
3 **A. Yes.**  
4 Q. What is CitiSteel's policy on sexual  
5 harassment?  
6 **A. It's not tolerated.**  
7 Q. And how do you ensure that it's not tolerated?  
8 **A. If any allegations of harassment are made**  
9 **they're promptly and thoroughly investigated and**  
10 **conclusions are given to the alleged recipient of the**  
11 **harassment.**  
12 Q. Is the alleged recipient ever transferred as a  
13 result of alleging sexual harassment?  
14 **A. They could be.**  
15 Q. In what circumstances would they be  
16 transferred?  
17 **A. In circumstances in which an appropriate**  
18 **position is available.**  
19 Q. I'm sorry? I didn't hear that.  
20 **A. In circumstances in which an appropriate**  
21 **position would be available for them.**  
22 Q. Is that the only situation where an individual  
23 would be transferred, is if there's an appropriate  
24 position available?

Page 19

1 **A. It's very rarely come up so I'm not sure I**  
2 **could respond to that question.**  
3 Q. Based on your experience, how many individuals  
4 have been transferred that you can remember after  
5 alleging sexual harassment?  
6 **A. None.**  
7 Q. Does that include Terry Snyder?  
8 **A. Yes. Because she never changed jobs.**  
9 Q. Was she offered a transfer?  
10 **A. Yes, she was.**  
11 Q. Is there anyone else that you offered a  
12 transfer to after they alleged sexual harassment?  
13 **A. Not that I recall.**  
14 Q. I guess I'm trying to understand why would  
15 CitiSteel transfer an employee that alleged sexual  
16 harassment?  
17 **A. To put them in a work environment where they**  
18 **were removed from the alleged harasser.**  
19 Q. Does CitiSteel take into consideration the  
20 desires of the actual alleged recipient of the  
21 harassment?  
22 MS. DIBIANCA: Are we still on 2001-2003?  
23 MS. BREWINGTON: Yes.  
24 **A. Could you rephrase the question, please?**

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1 Q. I guess I want to know in a situation where you  
2 have an alleged recipient of harassment and she comes  
3 to you and claims harassment and you offer a transfer  
4 to another position, does CitiSteel take into account  
5 the wants or the needs of the actual alleged recipient  
6 of the harassment?  
7 **A. The company representative is certainly willing**  
8 **to listen to the wishes and needs of the victim of**  
9 **alleged harassment.**  
10 Q. Does that affect the decision in any way?  
11 **A. If it's possible to affect it. The options**  
12 **available may be limited as far as remedial transfers.**  
13 MS. BREWINGTON: If I could have that  
14 marked as Ryan 2.  
15 (Ryan Deposition Exhibit No. 2 was marked  
16 for identification.)  
17 BY MS. BREWINGTON:  
18 Q. I want to give you an opportunity to review  
19 that document and just let me know when you have had  
20 an opportunity, if you can.  
21 **A. (Reviewing document) All done.**  
22 Q. Okay. Have you ever seen that document before?  
23 **A. Yes.**  
24 Q. And when was that?

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Page 21

1 **A. At the time of the investigation.**  
2 Q. Okay. The date of this document is April 8th,  
3 2003. Do you know what it is?  
4 **A. It appears to be a statement written by Terry**  
5 **about her interaction with Mr. Harris.**  
6 Q. Since the date is April 8, 2003, would you  
7 agree that it was probably written on that same date?  
8 **A. Probably, yes.**  
9 Q. And you saw this document around that same  
10 time?  
11 **A. Yes.**  
12 Q. Do you recall whether you saw it the same day,  
13 April 8th, 2003?  
14 **A. No, I don't.**  
15 Q. And tell me how you came to view this document.  
16 **A. In reviewing the case with Mr. Downie.**  
17 Q. And did you happen to meet with Mr. Downie and  
18 others to discuss this case?  
19 **A. I met with Mr. Downie to discuss it. No one**  
20 **else.**  
21 Q. At any time? It was just you, any time you met  
22 it was between you and Mr. Downie?  
23 **A. Correct.**  
24 Q. And is it fair to say that the first time you

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1 learned of Ms. Snyder's allegations were around this  
2 time, April 8, 2003?  
3 **A. That would be fair, yes.**  
4 Q. And what happened during the meeting with  
5 Mr. Downie and yourself?  
6 **A. To my recollection, he informed me of the**  
7 **allegation. He allowed me to review this document and**  
8 **I think that was all.**  
9 Q. Did Mr. Downie say anything to you?  
10 **A. My recollection is he just told me that Terry**  
11 **was alleging harassment and gave me the name of the**  
12 **alleged harasser and showed this thing to me.**  
13 Q. Excuse me?  
14 **A. Showed me this document.**  
15 MS. BREWINGTON: Can we go off the record  
16 for two seconds?  
17 (Discussion off the record.)  
18 BY MS. BREWINGTON:  
19 Q. You just finished telling me what he told you?  
20 **A. Yes.**  
21 Q. Do you recall anything that you told him?  
22 **A. I don't think I told him much of anything.**  
23 Q. Was there a discussion of what you guys were  
24 going to do to handle the situation?

Page 23

1 **A. I think he mentioned that he was going to meet**  
2 **with Terry and wanted me to be present as a witness,**  
3 **but other than that, no.**  
4 Q. Did he say why he wanted you to be present as a  
5 witness?  
6 **A. I think he wanted a witness present so there**  
7 **would be someone else who could relate what happened**  
8 **in the meeting.**  
9 Q. And did you meet with Terry Snyder?  
10 **A. Yes, with Mr. Downie.**  
11 Q. I want to go back to that. We're not going to  
12 get there yet.  
13 Before you met with Terry Snyder and  
14 Mr. Downie, do you recall Downie ever saying that he  
15 wanted to keep the dust down?  
16 **A. Keep the dust down?**  
17 Q. He wanted to keep the dust down?  
18 **A. In relation to what?**  
19 Q. I don't know actually. I believe, and I  
20 haven't yet taken Downie's deposition, but I believe  
21 it was with respect to the tapes and with respect to  
22 not getting the word out about the sexual harassment,  
23 but I don't know.  
24 **A. I don't recall him saying that, no.**

Page 24

1 Q. Do you know whether or not he wanted to keep  
2 the dust down?  
3 **A. To my knowledge, he didn't express any desire**  
4 **to me to keep the dust down, no.**  
5 Q. Do you remember a discussion with Mr. Downie  
6 about tapes, tape recordings?  
7 **A. I remember a discussion between Terry and**  
8 **Mr. Downie in our meeting about tapes, yes.**  
9 Q. Do you remember anything prior to that  
10 meeting --  
11 **A. No.** B-0544  
12 Q. -- about tapes?  
13 **A. No.**  
14 Q. When you met with Mr. Downie, did the idea of  
15 transferring Ms. Snyder come up in conversation?  
16 **A. No.**  
17 Q. Can you tell me when is the first time that  
18 this notion of transferring Ms. Snyder came up in  
19 conversation?  
20 **A. In the meeting with Mr. Downie and Terry.**  
21 Q. Was that the first time you heard of  
22 transferring?  
23 **A. Yes, it was.**  
24 Q. So I'm clear, the first time you heard about

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1 this transferring was when Jerry Downie actually said  
2 it in the meeting?  
3 **A. Correct.**  
4 Q. So you weren't involved in the decision to  
5 offer Terry a transfer?  
6 **A. No, I was not.**  
7 Q. Do you know who was involved in that decision?  
8 **A. Mr. Downie and I would have to guess as to who**  
9 **the other parties were because he didn't mention them.**  
10 Q. Go ahead and guess for me.  
11 **A. Mr. Harris and Mr. Weiss, who is the general**  
12 **supervisor of shipping.**  
13 Q. Okay. Why would you guess that Mr. Weiss was  
14 involved?  
15 **A. Because someone would have to inform him that**  
16 **we had somebody to possibly fill the position of**  
17 **clerk/typist.**  
18 Q. And why would you guess that Mr. Harris was  
19 involved?  
20 **A. Because it involved his employee and taking an**  
21 **action that would remove her from his department.**  
22 Q. Do you know why they wanted to transfer Terry  
23 Snyder?  
24 **A. My guess is it was an equivalent position to**

7 (Pages 22 to 25)

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1 the one she was holding at that time and it was open  
2 and it would serve the purpose of moving her to an  
3 area where there would be no interaction with her  
4 alleged harasser.

5 Q. Did she at any time express to you or anyone  
6 else that you know of that she did not want to  
7 transfer?

8 **A. In the meeting with Downie she told us that she  
9 would not be interested in transferring.**

10 Q. Did she have the option of going back to her  
11 own job if she did not want to transfer?

12 **A. No.**

13 Q. Why not?

14 **A. Because of the circumstances surrounding her  
15 interaction with the alleged harasser.**

16 Q. Meaning what?

17 **A. Meaning it was clear, I believe it was clear to  
18 Downie that she would not be willing to continue  
19 working in that area with the alleged harasser there.**

20 Q. So was it the belief that Ms. Snyder didn't  
21 want to go back to her position?

22 **A. No.**

23 Q. Can you kind of explain that to me again then?

24 **A. I believe Downie's view was that Terry and the**

Page 28

1 **A. Yes, she did.**

2 Q. Was that in that final meeting on April 10th,  
3 2003?

4 **A. Yes, it was.**

5 Q. So is it fair to say that it was Downie that  
6 made the decision that Terry could either transfer to  
7 shipping or be terminated?

8 **A. Yes, it is.**

9 Q. And you don't know who he consulted in making  
10 that decision?

11 **A. No. Because I didn't discuss with him who he  
12 discussed it with before he came to that conclusion.**

13 Q. And how do you feel about that decision?

14 **A. How do I feel about it?**

15 Q. Yes.

16 **A. I thought it was fair.**

17 Q. Does the shipping department have ISO reports?

18 **A. Yes.**

19 Q. Are they different than the melting shop  
20 reports?

21 **A. Only to the extent, again, that the processes  
22 they describe are different.**

23 Q. The processes that they describe?

24 **A. But the format, the way they're laid out, the**

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1 other person involved could not work effectively in  
2 the same area together.

3 Q. So Terry and Mr. Randolph Harris could not work  
4 in the same area? Is that what you're saying?

5 **A. Yes.**

6 Q. Did Terry also report to Dennis Ford at that  
7 time?

8 **A. Yes.**

9 Q. Could she have worked with Dennis Ford?

10 MS. DiBIANCA: I'll object to the extent  
11 that it calls for speculation.

12 But you can go ahead and answer.

13 **A. She could have changed her reporting  
14 relationship so that she only was responsible to  
15 Dennis, yes, but it still would have involved working  
16 in close proximity to the person she had a problem  
17 with.**

18 Q. Did she tell you or anyone that she wanted to  
19 keep her job?

20 **A. Yes, she did.**

21 Q. Did she tell you that she didn't mind working  
22 in the melt shop, continuing to work in the melt shop?

23 **A. Yes, she said that.**

24 Q. Did she say that to you and Jerry Downie?

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1 way they're produced looks the same, but the work  
2 being done is totally different.

3 Q. Was this position in the shipping department  
4 posted?

5 **A. No.**

6 Q. Why not?

7 **A. I believe at the time he had the discussion  
8 with Terry it was soon --**

9 Q. I'm sorry. Who is "he"?

10 **A. Jerry.**

11 Q. Okay. Go ahead.

12 **A. At the time it was posted, at the time we had  
13 the discussion with Terry, it was soon after the job  
14 was vacated so there had been no opportunity to post  
15 it.**

16 Q. And who was in that position previously?

17 **A. I think it was someone named Dawn. I can't  
18 remember her last name.**

19 Q. And are positions at CitiSteel generally  
20 posted?

21 **A. Yes.**

22 Q. At the time, and I'm talking about April 2003,  
23 how many clerks were in the shipping department? Do  
24 you know?

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8 (Pages 26 to 29)

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1 **A. None.**  
2 Q. None. And is that because Dawn had left?  
3 **A. Correct.**  
4 Q. If that's the right name?  
5 **A. Yes.**  
6 Q. And we don't know how long she had been gone?  
7 **A. Not long, but I can't tell you the exact amount**  
8 **of time.**  
9 Q. What's "not long" in your opinion?  
10 **A. A week or two.**  
11 Q. I want to turn specifically to this meeting on  
12 April 10th, 2003.  
13 Before we get to that, one more thing I  
14 want to talk to you about is do you recall following  
15 Terry Snyder to the melt shop the day prior? That  
16 would have been April 9, 2003.  
17 **A. No.**  
18 Q. Do you recall going to the melt shop on April  
19 9, 2003?  
20 **A. No.**  
21 Q. Is there a human resources department near the  
22 melt shop?  
23 Oh, I'm sorry. Is there a human resources  
24 department near the melt shop?

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1 **A. No.**  
2 Q. Do you recall going to the hill to see Terry on  
3 April 10, 2003?  
4 MS. DiBIANCA: Objection to the extent  
5 that the hill, there's no foundation for what that is.  
6 You can answer, if you understand.  
7 Q. Do you know what the hill is?  
8 **A. Yes.**  
9 Q. My question was: Do you recall going to the  
10 hill to see Terry on April 10, 2003?  
11 **A. Yes, if that's the correct date. I can't**  
12 **remember the exact date.**  
13 Q. I understand. But you remember going to the  
14 hill?  
15 **A. I do.**  
16 Q. Tell me about that.  
17 **A. Jerry Downie asked me to act as a witness in a**  
18 **meeting with Terry. I met with Terry and Jerry in his**  
19 **office that day.**  
20 Q. Now, that's not the meeting that I was about to  
21 ask you about, is it, the April 10th, 2003 meeting, or  
22 is it?  
23 **A. I think it is.**  
24 Q. Okay. How many times did you meet with Terry

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1 Snyder?  
2 **A. I think twice.**  
3 Q. Is one the time when you were going to the  
4 hill?  
5 **A. I think both meetings were there.**  
6 Q. Were on the hill?  
7 **A. Yes.**  
8 Q. All right. Can you tell me about the first  
9 meeting, what you remember about the first meeting?  
10 **A. I believe that Jerry asked me to go to his**  
11 **office. I went to his office. Terry appeared there.**  
12 **At that point I believe he offered her the**  
13 **transfer to shipping and --**  
14 Q. And that was the first time that you heard  
15 about this offer to transfer?  
16 **A. Yes. Yes.**  
17 Q. And what else happened in the meeting?  
18 **A. I believe she said that she wasn't interested**  
19 **and then Jerry and she arranged another meeting and**  
20 **then she left.**  
21 Q. Okay. And that took place on the hill?  
22 **A. I think it took place in another building, in**  
23 **the plant personnel office near the main gate of the**  
24 **plant.**

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1 Q. Now, after that meeting where did Terry go?  
2 **A. I assume she went home. I don't know where she**  
3 **went.**  
4 Q. What's on the hill?  
5 **A. Administrative offices.**  
6 Q. Is your office on the hill?  
7 **A. Now it is.** B-0546  
8 Q. But in 2003?  
9 **A. It was in the plant personnel office.**  
10 Q. That's not on the hill?  
11 **A. That's not on the hill, no.**  
12 Q. So why were you on the hill?  
13 **A. Because Mr. Downie asked me to attend the**  
14 **meeting there.**  
15 Q. So the meeting was on the hill?  
16 **A. Right.**  
17 Q. Is that generally where meetings are held?  
18 **A. Meetings are held in a number of places.**  
19 **That's one of them.**  
20 Q. Let's go to this final meeting.  
21 You said you went with her twice?  
22 **A. Yes.**  
23 Q. We're talking about the second meeting and we  
24 know that occurred on April 10, 2003. That was her

9 (Pages 30 to 33)



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1 last date of employment.  
2 **A. Yes.**  
3 Q. Tell me who was present at that meeting.  
4 **A. Myself, Terry and Jerry Downie.**  
5 Q. Did you say anything during that meeting?  
6 **A. I don't recall saying anything, no.**  
7 Q. Did you take notes during that meeting?  
8 **A. I think I did.**  
9 Q. Where are those notes?  
10 **A. I don't know.**  
11 Q. Did you give them to anyone?  
12 **A. I believe I gave them to Mr. Downie.**  
13 Q. Were tapes discussed in that meeting?  
14 **A. I think they were.**  
15 Q. What do you remember about the tapes?  
16 **A. I think Terry told us in a meeting that she had**  
17 **made recordings of Mr. Harris and also of Mr. Downie's**  
18 **meeting with her.**  
19 Q. Was that the first time you heard of the tapes?  
20 **A. I think she made reference to them in the first**  
21 **meeting also.**  
22 Q. Did anyone request to hear the tapes?  
23 **A. I think Mr. Downie requested to hear them.**  
24 Q. Do you know what he said to her?

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1 **A. I can't remember his exact words, no.**  
2 Q. Do you know if Terry responded to him when he  
3 asked about the tapes?  
4 **A. I think she said that she would let him hear**  
5 **them, but I don't recall what she might have said**  
6 **about them after that.**  
7 Q. Did you or Downie allow Ms. Snyder to have  
8 someone else in the meeting with you guys?  
9 **A. No.**  
10 Q. Do you recall her requesting to have someone  
11 else in the meeting?  
12 **A. Yes.**  
13 Q. And who did she request to have in the meeting?  
14 **A. Her father.**  
15 Q. And why wasn't she allowed to have someone else  
16 in the meeting with her?  
17 **A. Her father was not an employee of the company**  
18 **and as an outside party Mr. Downie felt it wasn't**  
19 **appropriate to invite him to the meeting.**  
20 Q. Tell me what was discussed at that meeting.  
21 **A. Which meeting?**  
22 Q. The second meeting.  
23 **A. The second meeting?**  
24 Q. April 10, 2003, the last meeting.

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1 **A. To the best of my recollection, I believe**  
2 **Mr. Downie asked Terry again if she would consider**  
3 **taking the clerk/typist job in shipping. Terry said**  
4 **no, she would not.**  
5 Q. Did she say why?  
6 MS. DiBIANCA: I'm sorry. Were you  
7 finished with your answer?  
8 THE WITNESS: Yes.  
9 MS. DiBIANCA: Okay.  
10 **A. Did she say why? She made some statement to**  
11 **the effect of people get lost back there, but I don't**  
12 **recall her saying anything else.**  
13 Q. People get lost back there?  
14 **A. Yes.**  
15 Q. Do you know what she was talking about?  
16 **A. No.**  
17 Q. Did anyone ask her what she was talking about?  
18 **A. No one did.**  
19 Q. Did you wonder what she was talking about?  
20 **A. Yes.**  
21 Q. But you didn't ask her?  
22 **A. No.**  
23 Q. Did either of you offer to remove the  
24 disciplinary write-up from her file?

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1 **A. No.**  
2 Q. Did either of you explain to Terry why she was  
3 being transferred to shipping?  
4 **A. I believe Mr. Downie did.**  
5 Q. And what did Mr. Downie say?  
6 **A. To the best of my recollection, he said that**  
7 **she was being moved to get her -- it was an equivalent**  
8 **position, it paid the same, roughly the same duties**  
9 **and it was a way of getting her away from her alleged**  
10 **harasser.**  
11 Q. Did Terry Snyder ask you why she should leave  
12 the job she loved in order to protect the harasser?  
13 **A. Yes.**  
14 Q. Did you guys respond to her?  
15 **A. Mr. Downie did, yes.**  
16 Q. And what did Mr. Downie say?  
17 **A. I think what he said was it was the only option**  
18 **we had available given the open positions we had at**  
19 **the time.**  
20 Q. Did she express to you and Mr. Downie that she  
21 wanted to go back to work?  
22 **A. Yeah, she did.**  
23 Q. Did she ask why she was being shipped to  
24 shipping when she didn't do anything wrong?

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10 (Pages 34 to 37)

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1 **A. I think she asked that question, yes.**  
2 Q. And what was the response?  
3 **A. The one I just gave you.**  
4 Q. Okay. Did either of you tell Ms. Snyder that  
5 her job in the melting shop was being eliminated?  
6 MS. DiBIANCA: I'm going to object to the  
7 extent that it calls for him to speculate outside of  
8 the time frame of the meeting.  
9 MS. BREWINGTON: Well, I'm asking him in  
10 that meeting. These are questions directly related to  
11 the meeting.  
12 MS. DiBIANCA: Okay.  
13 **A. I don't recall it being said, no.**  
14 Q. Was Terry Snyder escorted off the grounds that  
15 day?  
16 **A. I remember she left. I don't recall anyone**  
17 **following her or going with her.**  
18 Q. So you didn't escort her off the property?  
19 **A. I don't remember doing that, no.**  
20 Q. Is that something that's done when someone is  
21 terminated, escorting someone off the grounds?  
22 **A. Sometimes, depending on the nature of the**  
23 **separation.**  
24 Q. Was Ms. Snyder terminated because she didn't

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1 accept the transfer?  
2 **A. In our view Ms. Snyder resigned.**  
3 Q. Could you explain that?  
4 **A. She was offered basically the position she was**  
5 **in in another area and refused to report to work.**  
6 Q. Okay. And she was offered a transfer, correct?  
7 **A. Yes.**  
8 Q. And she didn't accept the transfer, correct?  
9 **A. Yes. Correct.**  
10 Q. And what happened to her as a result?  
11 **A. She effectively resigned her position.**  
12 Q. Did anyone ask her to leave the grounds?  
13 **A. She actually suggested that she leave the**  
14 **grounds and Mr. Downie agreed with her.**  
15 Q. And did he agree because she -- do you know why  
16 he agreed?  
17 **A. That would be speculation on my part, but I**  
18 **suspect it was because she didn't want to go back to**  
19 **work and they had nothing more to discuss.**  
20 Q. She didn't want to go back to work?  
21 **A. Right.**  
22 Q. She didn't want to go back to the melting shop?  
23 Is that what you're saying?  
24 **A. No. She didn't want to return to the work**

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1 **available to her.**  
2 Q. Oh, because the melting shop was no longer  
3 available?  
4 **A. Right.**  
5 Q. Why wasn't the melting shop no longer  
6 available?  
7 MS. DiBIANCA: I think it's been asked and  
8 answered several times.  
9 You can go ahead and answer again, if you  
10 would like.  
11 MS. SNYDER: I have been asked several  
12 questions over and over.  
13 **A. For the reasons previously stated, that it was**  
14 **felt Terry and this other person shouldn't be working**  
15 **in the same area.**  
16 Q. When does CitiSteel change the security code?  
17 **A. When you say, "security code," what do you**  
18 **mean?**  
19 Q. I think I mean this code to get into the  
20 building.  
21 **A. "The building" being the building on the hill?**  
22 **No?**  
23 Q. I'm going to take a break and get more  
24 information about that and come back to that.

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1 **A. Okay.**  
2 MS. BREWINGTON: Don't let me forget that.  
3 BY MS. BREWINGTON:  
4 Q. I will get more information and then I will ask  
5 you about it because I really don't know, I didn't  
6 know there were several different codes or anything.  
7 **A. Okay.**  
8 Q. This April 10, 2003 meeting, did Terry Snyder  
9 tape this conversation?  
10 **A. In the meeting I recall she said she was taping**  
11 **it at the time.**  
12 Q. Did you see a tape recorder?  
13 **A. I did not see a tape recorder if she had one.**  
14 MS. BREWINGTON: If I could have that  
15 marked as Ryan 3.  
16 (Ryan Deposition Exhibit No. 3 was marked  
17 for identification.)  
18 BY MS. BREWINGTON:  
19 Q. I'm going to give you an opportunity to review  
20 what I just put in front of you. It has been  
21 previously marked as Ryan 3, I believe.  
22 **A. (Reviewing document) Okay.**  
23 Q. If you could read for me out loud the last  
24 sentence of the second, the two last sentences -- the

11 (Pages 38 to 41)

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1 second-to-last sentence and the last sentence in the  
2 second paragraph beginning with "Terri."  
3 **A. "Terri then turned the tape recorder back on**  
4 **and left it on. She took it from the tabletop and put**  
5 **it in her pocket."**  
6 Q. Does that refresh your recollection in terms of  
7 whether she had, whether you saw her with the tape  
8 recorder?  
9 **A. Yes.**  
10 Q. And is it fair to say that she had the tape  
11 recorder on the tabletop?  
12 **A. Yes.**  
13 Q. And that she then put it in her jacket?  
14 **A. Yes.**  
15 Q. Is it also fair to say that you and Downie were  
16 aware that the tape recorder was turned back on?  
17 **A. Yes.**  
18 Q. I would like to play a recording for you, if I  
19 could.  
20 MS. BREWINGTON: Go off the record.  
21 (A brief recess was taken during which a  
22 tape recording was played.)  
23 BY MS. BREWINGTON:  
24 Q. Did Downie ask you to escort her off the

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1 premises?  
2 **A. He may have. I don't recall him saying it.**  
3 Q. You have had an opportunity to listen to the  
4 tape that I played. Do you recognize the voices on  
5 the tape?  
6 **A. Yes.**  
7 Q. And who are they?  
8 **A. Terry Snyder and Jerry Downie.**  
9 Q. Does that tape accurately reflect the meeting  
10 of April 10, 2003?  
11 **A. Yes.**  
12 Q. And you were present during that meeting?  
13 **A. Correct.**  
14 Q. But your voice is not on the tape?  
15 **A. No.**  
16 Q. And do you recall Downie saying that he was  
17 willing to remove the March 3rd write-up?  
18 **A. Now that I have heard it, yes.**  
19 Q. And do you recall that Terry Snyder asked for  
20 CitiSteel to put the information about the transfer in  
21 writing and that she will consider it?  
22 **A. I don't recall that detail, but now that I hear**  
23 **it on the tape I do recall.**  
24 Q. Do you recall Downie stating that he wouldn't

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1 put it in writing?  
2 **A. Again, my memory is refreshed by hearing that,**  
3 **but prior to hearing the tape I wouldn't recall that.**  
4 Q. You do recall based upon listening to the tape?  
5 **A. Yes.**  
6 Q. Do you recall why he wouldn't put it in  
7 writing?  
8 **A. No.**  
9 MS. BREWINGTON: I would just like to go  
10 off the record.  
11 (Discussion off the record.)  
12 (A brief recess was taken.)  
13 MS. BREWINGTON: I don't have anything  
14 further.  
15 MS. DiBIANCA: I have a couple, very,  
16 very, very brief.  
17 BY MS. DiBIANCA:  
18 Q. When did you become aware that the tape was  
19 recording during the meeting on April 10th? Were you  
20 aware the whole time?  
21 **A. I believe it was sometime after she had**  
22 **started, but I couldn't tell you exactly how much had**  
23 **been recorded before I became aware of it.**  
24 Q. And the tape that was played, does that

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1 accurately reflect the entire meeting or is that a  
2 portion of the meeting?  
3 **A. It sounds to me like a portion of the meeting.**  
4 Q. Earlier we discussed or Ms. Brewington asked  
5 you about the disciplinary policy at CitiSteel. And I  
6 believe is it correct it was your testimony that there  
7 were two verbal warnings given and then a written  
8 warning?  
9 **A. That's correct.**  
10 Q. And was your answer reflecting for the time  
11 period of Ms. Snyder's employment?  
12 **A. Yes.**  
13 Q. And how would you have known that at that time?  
14 **A. From discussions with Mr. Downie.**  
15 Q. Okay. So unofficially you knew that but not  
16 officially in your role as manager of health and  
17 safety?  
18 **A. Correct.**  
19 Q. You testified about the transfer decision and  
20 your testimony was that you believed, I think you  
21 might have said speculated that Mr. Harris and/or  
22 Mr. Weiss was somehow involved in that decision. Is  
23 that correct?  
24 **A. Correct.**

12 (Pages 42 to 45)

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1 Q. Would they have been involved in the decision  
2 or would they have been involved in knowing about  
3 Mr. Downie's decision?  
4 **A. They would have been involved in knowing about**  
5 **Mr. Downie's decision.**  
6 Q. Would they have, either Mr. Harris or Mr. Weiss  
7 have decision-making authority to make that decision?  
8 **A. No.**  
9 Q. When Ms. Snyder requested to have her father  
10 present at the meeting with Mr. Downie, were you  
11 present when she made that request?  
12 **A. Yes.**  
13 Q. And that was on April 9th?  
14 **A. To the best of my recollection, yes.**  
15 Q. And did you respond to that request?  
16 **A. No.**  
17 Q. Did Mr. Downie respond to that request?  
18 **A. Yes.**  
19 Q. And what was his response?  
20 **A. His response was that no, the father could not**  
21 **be in the meeting.**  
22 Q. Did you have an opinion of Ms. Snyder, whether  
23 she was a good employee at the time of her employment?  
24 **A. Yes, I had an opinion.**

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1 Q. And what was that opinion?  
2 **A. That she was not a good employee.**  
3 Q. Can you give me any specific characteristics or  
4 examples as to why?  
5 **A. Yes. She spent excessive time talking to other**  
6 **employees, socializing on the job. She spent**  
7 **excessive time walking around the plant for the**  
8 **purposes of socializing rather than following her**  
9 **directions.**  
10 **She spent excessive time trying to develop**  
11 **personal relationships with other employees both**  
12 **within her department and outside her department. She**  
13 **made numerous irrational requests not related to her**  
14 **job performance of me and also of others.**  
15 Q. Can you give me an example of that?  
16 **A. Asking for blank forms more than was necessary.**  
17 Q. And what about Mr. Harris, during this time  
18 frame did you have an opportunity to form an opinion  
19 of Mr. Harris?  
20 **A. Yes, I did.**  
21 Q. And what was that opinion?  
22 **A. That he was a good employee.**  
23 Q. Do you know how long he had been employed at  
24 the time of the investigation?

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1 **A. About twelve years.**  
2 Q. And do you know if he had during those twelve  
3 years any complaints or write-ups, disciplinary  
4 problems prior to Ms. Snyder's allegations?  
5 **A. None that I'm aware of, no.**  
6 Q. Did he have a reputation for honesty?  
7 **A. Yes, he did.**  
8 Q. Do you consider him an honest person?  
9 **A. Yes, I do.**  
10 MS. DiBIANCA: That's all I have.  
11 BY MS. BREWINGTON:  
12 Q. You mentioned that Ms. Snyder was not a good  
13 employee. Is that correct?  
14 **A. That's correct.**  
15 Q. Is that based on your own personal knowledge?  
16 **A. It's based on my personal knowledge and also**  
17 **the observations of others.**  
18 Q. And what others are you speaking of?  
19 **A. Mr. Downie.**  
20 Q. So did Downie personally observe these things  
21 and tell you about them? Let me be specific.  
22 Excessive time talking with other  
23 employees?  
24 **A. That was observed by Mr. Ford, Mr. Harris and**

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1 **Mr. Buragino and relayed to Mr. Downie by them.**  
2 Q. How about walking around the plant socializing?  
3 **A. I observed that myself.**  
4 Q. Did you ever say anything to her about walking  
5 around the plant socializing?  
6 **A. No.**  
7 Q. Did you say anything to her manager?  
8 **A. No.**  
9 Q. Why not?  
10 **A. Because I didn't know at the time if she was**  
11 **carrying out what she was supposed to be carrying out**  
12 **or she was doing this on her own.**  
13 Q. So you didn't know if she was working or not?  
14 Is that what you're saying?  
15 **A. Yes.**  
16 Q. You also mentioned that she was not a good  
17 employee because she spent excessive time trying to  
18 develop personal relationships?  
19 **A. Yes.**  
20 Q. Is that based on your personal knowledge?  
21 **A. Yes.**  
22 Q. Tell me about that.  
23 **A. She spent excessive time talking to the nurse**  
24 **who worked near the area I did.**

13 (Pages 46 to 49)